

ceremonies for Senator MEAD at Buffalo, N. Y., on October 5, 1940, which appears in the Appendix.]

**IMPLICATIONS OF THE ELECTION—ADDRESS BY ATTORNEY GENERAL JACKSON**

[Mr. SCHWARTZ asked and obtained leave to have printed in the RECORD a radio address by Hon. Robert H. Jackson, Attorney General of the United States, delivered on October 9, 1940, which appears in the Appendix.]

**FOREIGN POLICY—ADDRESS BY GEN. ROBERT E. WOOD**

[Mr. WHEELER asked and obtained leave to have printed in the RECORD an address by Gen. Robert E. Wood before the Council of Foreign Relations Association of Chicago, Ill., on the subject of the foreign policy of the United States, which appears in the Appendix.]

**EDITORIAL FROM HARTFORD TIMES ON SOCIAL SECURITY PAYMENTS**

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an editorial from the Hartford Times of October 14, relative to a statement by Mr. Willkie concerning payments under the social-security program, which appears in the Appendix.]

**SECURITIES AND EXCHANGE COMMISSION—LETTER BY ARTHUR H. DEAN**

[Mr. MALONEY asked and obtained leave to have printed in the RECORD a letter written by Arthur H. Dean to the editor of the New York Times, relative to the administration of Government bureaus, which appears in the Appendix.]

**STATEMENT BY PROMINENT WRITERS FAVORING PRESIDENT ROOSEVELT**

[Mr. BYRNES asked and obtained leave to have printed in the RECORD statements of prominent writers favoring the reelection of President Roosevelt, which appear in the Appendix.]

**FEDERAL DEPOSIT INSURANCE CORPORATION**

[Mr. HERRING asked and obtained leave to have printed in the RECORD a statement as to the operations of the Federal Deposit Insurance Corporation, which appears in the Appendix.]

**THIRD PRESIDENTIAL TERM**

[Mr. BURKE asked and obtained leave to have printed in the RECORD excerpts from the hearings conducted by a subcommittee of the Committee on the Judiciary on proposals to limit the tenure of office of President of the United States, which appear in the Appendix.]

**RECESS**

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 12 o'clock and 30 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, October 15, 1940, at 12 o'clock meridian.

**NOMINATION**

*Executive nomination received October 14 (legislative day of September 18), 1940*

**DIRECTOR OF SELECTIVE SERVICE**

Clarence A. Dykstra, of Wisconsin, to be Director of Selective Service.

**HOUSE OF REPRESENTATIVES**

MONDAY, OCTOBER 14, 1940

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Lord, teach us to pray. Let our faith in Thee be so simple, our vision so clear, and our hold on Thee so certain that as our prayer trembles into silence we shall be inspired to do good in countless, quiet ways. Teach us that self-denial and self-surrender are the measures and worth of man's greatness. Let there be a sorrow for sin, a yearning after peace and purity, and heartfelt longings for service and usefulness.

We earnestly pray Thee, blessed Lord, let not the sun set in a world's sky of lead with a scarce, single ray of light, leaving its destiny upon a stricken heart. By bravely fighting, patient endurance, and quiet suffering may its weary burden measure our heroism and chivalry of soul. Unveil the cross before the waiting eyes of our fellow countrymen and let it be magnified in our daily lives. Let us live to toil for life while others are dying for life; this is true nobility. Do Thou direct our President, our Speaker, and the Congress in all their ways; this is our humble prayer. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Thursday, October 10, 1940, was read and approved.

**MESSAGE FROM THE PRESIDENT**

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

**MESSAGE FROM THE SENATE**

A message from the Senate, by Mr. St. Claire, one of its clerks, announced that the Senate agrees without amendment to a concurrent resolution of the House of the following title:

H. Con. Res. 91. Concurrent resolution authorizing the printing of additional copies of Public Law No. 801, entitled "Second Excess-Profits Tax Act of 1940."

**APPOINTMENT OF HON. L. L. MARSHALL, OF OHIO, TO COMMITTEE ON MERCHANT MARINE AND FISHERIES**

Mr. MARTIN of Massachusetts. Mr. Speaker, I offer a resolution and ask for its immediate adoption.

The Clerk read as follows:

**House Resolution 624**

*Resolved*, That L. L. MARSHALL, of Ohio, be, and he is hereby, elected to the Committee on Merchant Marine and Fisheries of the House of Representatives.

The resolution was agreed to.

**ELECTION OF HON. FRANK C. OSMERS, JR., TO COMMITTEE ON RIVERS AND HARBORS**

Mr. MARTIN of Massachusetts. Mr. Speaker, I offer a second resolution and ask for its immediate adoption.

The Clerk read the resolution, as follows:

**House Resolution 625**

*Resolved*, That FRANK C. OSMERS, JR., of New Jersey, be, and he is hereby, elected to the Committee on Rivers and Harbors of the House of Representatives.

The resolution was agreed to.

**RESIGNATION FROM COMMITTEE**

The SPEAKER laid before the House the following resignation from the Committee on Coinage, Weights, and Measures:

OCTOBER 10, 1940.

SPEAKER OF THE HOUSE OF REPRESENTATIVES,

Washington, D. C.

DEAR SIR: I hereby tender to you my resignation as a member of the Committee on Coinage, Weights, and Measures, and the Committee on the Territories.

Sincerely yours,

FRED C. GARTNER.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

**EXTENSION OF REMARKS**

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the St. Louis Post-Dispatch.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. COCHRAN]?

There was no objection.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a bill I am going to introduce today, which I believe will be referred to the Committee on Education.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. SNYDER]?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short article by John T. Flynn and an editorial from the Washington Star.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes today after disposition of business on the Speaker's table and at the conclusion of any special orders heretofore made.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. RICH]?

There was no objection.

#### EXTENSION OF REMARKS

Mr. RICH. Mr. Speaker, in case the House adjourns without my addressing the House today, I ask unanimous consent to revise and extend my remarks on the subject of the third term.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. RICH]?

There was no objection.

Mr. MURDOCK of Utah. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief credo written by Archibald MacLeish, and I ask unanimous consent also to extend my own remarks in the RECORD and to include the fourth section of subhead of the report of the special committee on the bill of rights of the American Bar Association.

The SPEAKER. Is there objection to the request of the gentleman from Utah [Mr. MURDOCK]?

There was no objection.

Mr. CULLEN. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from New York [Mr. CULLER] may be permitted to extend his own remarks in the RECORD and to include therein a statement made by Librarian MacLeish.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. CULLEN]?

There was no objection.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a news item from yesterday's Baltimore Sun.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. HINSHAW]?

There was no objection.

#### AXIS PROPAGANDA

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. JONKMAN]?

There was no objection.

Mr. JONKMAN. Mr. Speaker, Dorothy Thompson, columnist, in this morning's Washington Post expressed further the story that the Axis Powers say they want to see Roosevelt defeated. This propaganda was first disseminated by the candidate for Vice President on the New Deal ticket; next we heard it proclaimed by the Democratic Governor of New York; then President Roosevelt himself again gave it national publicity in the nature of comment on a news article from Italy in the New York Times, to which he referred at his press conference.

The pathos of this propaganda does not lie in the fact that the New Deal injects national defense into politics; the tragedy lies in the fact that our President, the Democratic candidate for Vice President, and the Governor of New York, not to mention Dorothy Thompson and others, become the dupes of the dictators in spreading axis propaganda designed to weaken our defense. The propaganda of the dictators is always designed to mislead and get other people to do the things that will weaken them and make them vulnerable. In other words, according to their system, we know, or should know, that when the Axis Powers say they want Roosevelt defeated they mean just the opposite and mean to accomplish just the opposite,

knowing that the people will take an opposite position. They hope that the people will elect Roosevelt. They know he will be no stronger in a defense program that he was in his domestic program. In other words, the New Deal has again shown its incapacity for leadership by already falling into the trap of Nazi and Fascist propaganda.

#### EXTENSION OF REMARKS

Mr. LYNCH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address made by me in New York.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. LYNCH]?

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include therein a resolution and a statement.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

[Mr. PATMAN addressed the House. His remarks appear in the Appendix of the RECORD.]

#### EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two topics, that is, separate extensions.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter I have received from Mr. Wallace and my reply thereto.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an Associated Press dispatch.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. LEWIS of Colorado. Mr. Speaker, I ask unanimous consent that today, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 30 minutes. I ask further that I may be permitted to include in my remarks certain extracts from a prospectus prepared for the consideration of the General Staff, which may somewhat exceed the ordinary limit.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

#### LEAVE OF ABSENCE

Mr. BRYSON. Mr. Speaker, I ask unanimous consent that I may be granted leave of absence for 2 weeks due to important business.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

#### EXTENSION OF REMARKS

Mr. PITTINGER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] have 5 days in which to extend his remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. CHIPERFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Galesburg Register Mail, of Galesburg, Ill., of October 10, 1940.



The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein certain very brief editorial comments.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. FULMER and Mr. DIMOND asked and were given permission to extend their own remarks in the RECORD.

Mr. OSMERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the transportation problem.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

#### AMERICA'S FOREIGN POLICY

Mr. OSMERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. OSMERS. Mr. Speaker, On Wednesday of this week about 20,000,000 Americans will register for possible service in the armed forces of the United States. Almost without exception there is a willingness and a desire on their part to serve their country and defend it from its enemies, both without and within.

There is, however, a growing conviction on the part of the American people that the present administration has made certain commitments, particularly in the Far East, which are unknown to Congress or to the people. Some have even suggested that this administration would go to any length to use the foreign situation as a means of perpetuating itself in office.

Those of us who are being registered on Wednesday and all of the citizens of the United States are entitled to a clear statement of America's foreign policy. We should know what is to be defended and whether our services are already pledged in some futile foreign expedition. Will the President make such a statement? [Applause.]

#### EXTENSION OF REMARKS

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two newspaper articles.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short article by the past president of the State bar of California.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

#### CORRECTION OF ROLL CALL

Mr. H. CARL ANDERSEN. Mr. Speaker, on roll call No. 136 I am recorded as being absent, whereas I was present and answered "present." I ask unanimous consent that the RECORD and Journal be corrected accordingly. May I state, further, that I have not missed a quorum call or a roll call vote during the Seventy-sixth Congress.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article by Mr. Hartley W. Barclay, secretary and editorial director of the Conover-Mast Corporation of New York, entitled "Prelude to Totalitarianism?"

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

[Mr. O'CONNOR addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. HOFFMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN. On these requests for 1 minute, where permission to revise and extend is granted, do they go in at this point in the RECORD?

The SPEAKER. They do not. If the request is made, the extensions do not go into the RECORD at that point if they are more than 1 minute.

Mr. O'CONNOR. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. O'CONNOR. When I asked unanimous consent to address the House for 1 minute, I also asked unanimous consent to extend my remarks at that point.

The SPEAKER. The Chair did not understand the gentleman to make that request or he would not have recognized him for that purpose, under the agreement under which we have been working here for several months.

Mr. O'CONNOR. Then do I understand that the extension of my remarks will appear in the Appendix of the RECORD?

The SPEAKER. That is right.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent that my whole speech, including the speech I made and the reply I made to my friend from Pennsylvania, be included in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN. The gentleman from Texas [Mr. PATMAN], I think, made a similar request this morning. Does that go into the RECORD "at this point"?

The SPEAKER. It does not, if it is more than a minute. The Chair cannot hear these requests because there is so much confusion in the Hall and Members become so impatient about being recognized for 1 minute that they all stand up at one time.

#### LEAVE OF ABSENCE AND EXTENSION OF REMARKS

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that I may have leave of absence for 22 days.

I also ask unanimous consent that I may have 10 of those days in which to insert my remarks in the RECORD and to extend and revise them on three subjects—the subject of health, the subject of the situation in the Third Congressional District of Minnesota, and the subject of the Townsend plan.

Mr. McCORMACK. Mr. Speaker, reserving the right to object to the latter part of the request, I understand the gentleman asked for 10 legislative days within which to extend his remarks in the RECORD on some subject.

Mr. ALEXANDER. Assuming those 10 days are during the 22 days' leave of absence which I have just requested; if not, I will limit it to that time.

Mr. McCORMACK. Is the gentleman going to be here for the remainder of the day?

Mr. ALEXANDER. Yes.

Mr. McCORMACK. Would the gentleman withdraw the latter part of his unanimous-consent request for the time being?

Mr. ALEXANDER. The one regarding the Townsend plan?

Mr. McCORMACK. I am not concerned about the Townsend plan or anything of that sort. I am referring to the

request for 10 legislative days within which to extend his remarks.

Mr. ALEXANDER. Mr. Speaker, a parliamentary inquiry. Under the rules, as I understand it, in case of an extended recess or an adjournment, the Members have some days within which to revise and extend their remarks in the RECORD.

Mr. McCORMACK. I am sure that will be taken care of if anything of that kind is done and, of course, whatever is afforded to the membership of the House generally, the gentleman would want to be included in the general request and that is the main reason for my taking this position.

Mr. ALEXANDER. Mr. Speaker, on that basis, I will withhold my request.

Mr. McCORMACK. I shall not object, of course, but I simply suggest that if the gentleman is going to be here for the remainder of the day, that as to the latter part of the request—not on the subject of the Townsend plan, because that does not concern me, but with respect to the 10 days within which to extend his remarks, that the gentleman withhold that for the time being.

Mr. RANKIN. Mr. Speaker, reserving the right to object, let me say to the gentleman from Minnesota that when a Member gets permission to extend his remarks in the RECORD he has 30 days within which to extend them. So, if the gentleman's unanimous-consent request to extend his remarks is granted, he would not only have 10 days but 30 days if the session lasts that long.

Mr. ALEXANDER. I thank the gentleman from Mississippi.

#### FURTHER MESSAGE FROM THE PRESIDENT

A further message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On October 10, 1940:

H. R. 3481. An act for the relief of C. Z. Bush and W. D. Kennedy;

H. R. 4126. An act for the relief of Warren Zimmerman;

H. R. 6782. An act for the relief of James Robert Harman;

H. R. 8369. An act authorizing a per capita payment of \$10 each to the members of the Red Lake Band of Chippewa Indians from any funds on deposit in the Treasury of the United States to their credit;

H. R. 9123. An act to approve Act No. 65 of the Session Laws of 1939 of the Territory of Hawaii, entitled "An act to amend Act 29 of the Session Laws of Hawaii, 1929, granting to J. K. Lota and associates a franchise for electric light, current, and power in Hanalei, Kauai, by including Moloaa within said franchise;

H. R. 9124. An act to approve Act No. 214 of the Session Laws of 1939 of the Territory of Hawaii entitled "An act to amend Act 105 of the Session Laws of Hawaii, 1921, granting franchise for the manufacture, maintenance, distribution, and supply of electric current for light and power within Kapaa and Waipouli in the district of Kawaihau on the island and county of Kauai by including within said franchise the entire district of Kawaihau, island of Kauai";

H. R. 9264. An act to provide for uniformity of allowances for the transportation of household goods of civilian officers and employees when transferred from one official station to another for permanent duty;

H. R. 9581. An act to amend the Merchant Marine Act, 1936, as amended;

H. R. 9734. An act authorizing allocation of funds for the construction of Saco Divide unit, Milk River project, and for other purposes;

H. R. 10061. An act to consolidate certain exceptions to section 3709 of the Revised Statutes and to improve the United States Code;

H. R. 10246. An act to further amend the act of July 30, 1937, authorizing the conveyance of a portion of the Stony Point Light Station Reservation to the Palisades Interstate Park Commission;

H. R. 10339. An act to authorize the President to requisition certain articles and materials for the use of the United States, and for other purposes;

H. R. 10518. An act granting the consent of Congress to the Department of Highways and the county of Big Stone, State of Minnesota, to construct, maintain, and operate a free highway bridge across the Whetstone Diversion Channel at or near Ortonville, Minn.; and

H. R. 8474. An act to further amend the Alaska game law.

On October 14, 1940:

H. R. 7515. An act for the relief of Joseph B. Rupinski and Maria Zofia Rupinski.

#### EXTENSION OF REMARKS

Mr. JONES of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include a list of farm imports from the Department of Agriculture.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a speech made by Attorney General Jackson.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BLOOM. I further request unanimous consent to extend my remarks in the RECORD and include therein a speech by Pierre Van Paasen.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### GRAND COULEE DAM

Mr. HILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HILL. Mr. Speaker, I think all of us have heard of Grand Coulee Dam, the greatest thing conceived by the mind of man, and when it is finished, after they have poured 11,000,000 cubic yards of cement in it, it will be the greatest thing ever built by the hand of man. But Coulee Dam is noted for one thing more and that is that the Democrats are in strong control there. Two years ago the Republicans received only 10 percent of the votes.

I hold in my hand a picture of a place and it says, "This is the place that was made for Willkie to make his address at Grand Coulee Dam." This is the picture. On it it says at the bottom "Republican headquarters, Willkie for President Club, C. A. Riemcke, president."

Up here in just about as large letters it says "Charles A. Riemcke, funeral home." [Laughter.]

That is about what the Republicans will find politically not only in Grand Coulee, but also in the State of Washington on November 5. [Laughter and applause.]

[Here the gavel fell.]

#### EXTENSION OF REMARKS

Mr. MAAS, by unanimous consent, was granted permission to extend his own remarks in the RECORD.

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include certain excerpts.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### THREE-DAY RECESSES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

This unanimous-consent request is submitted with the understanding that no ordinary legislative business will be transacted or any business transacted in the future unless the Members are notified in due season.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object—



Mr. BURDICK. Mr. Speaker, I object.

Mr. McCORMACK. Will the gentleman reserve his objection for the time being?

Mr. BURDICK. Yes; I will.

Mr. MARTIN of Massachusetts. Reserving the right to object, I understand from the gentleman from Massachusetts [Mr. McCORMACK] that the business which the administration has prepared for the House is practically completed for the time being?

Mr. McCORMACK. That is correct.

Mr. MARTIN of Massachusetts. I further understand that by these 3-day recesses the House will not lose any of its privileges to come into session if any extraordinary occasion should arise?

Mr. McCORMACK. That is absolutely correct. Of course, the membership of the House has complete confidence in its leadership on both sides of the aisle. The unanimous-consent request, if granted, with no further legislation to transact, no recommendations coming from the President, will permit the Members to go home with the knowledge that there is no necessity of their being in Washington and that if anything develops the Members will be notified in proper time.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. RANKIN. That means, then, that we are to have 3-day recesses from now on until further notified?

Mr. McCORMACK. That is correct.

Mr. O'CONNOR. Will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. O'CONNOR. I would like to inquire about this situation: We Members who live long distances away from Washington, which would require about 3 days within which to return, ought to have some understanding with the leadership that we will have about 3 days' notice before the time to be here. Of course, we want to come back immediately in case there should develop an acute situation.

Mr. McCORMACK. Will the gentleman repeat his suggestion?

Mr. O'CONNOR. The situation with respect to some of us is that we live in a territory which requires at least 3 days' time to get here, or even 4 days' time, assuming that we use the train—and not very many of us care to fly. Suppose the leadership of the House decides that we should be here. I think there ought to be a general understanding that we should have 4 days', or 3 days' at least, notice within which to come if the conditions will permit of such procedure.

Mr. McCORMACK. The gentleman has made an absolutely fair statement. I think the gentleman and all Members will understand that this is a gentlemen's agreement. Such agreements are frequently entered into, not particularly on matters of this kind, but on various matters, and the Members of the House respect the obligations of a gentlemen's agreement. Should some situation hereafter arise where this gentlemen's agreement was disturbed, where it was felt necessary to call the House into session it is only natural to assume—and I assure the gentleman, speaking for myself, and I know I speak for the Speaker and also speak the sentiments of my distinguished friend the gentleman from Massachusetts, the minority leader—all Members will be given ample notice.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MARTIN of Massachusetts. I would amplify that by saying I know the gentleman from Montana, of course, would not want us to do otherwise, if the international situation became so involved it was advisable for us to be back regardless of the 3 days, we must do so. However, except in the case of real necessity, neither the Speaker, the gentleman from Massachusetts, the majority leader, nor myself would want to bring the House together without ample notice.

Mr. McCORMACK. The gentleman from Montana and other Members similarly situated can accept this request with complete knowledge that their interests and rights, except

insofar as an acute emergency might arise, will be amply protected.

Mr. O'CONNOR. I may say to the gentleman from Massachusetts that I think it is a very reasonable arrangement to make and I think it is very wise on the part of the leadership to make such an arrangement. These inflammatory speeches that we hear daily keep the country stirred and I believe the country should be given a breathing spell. I am in favor of the plan.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. COCHRAN. Is it understood that should this request be granted the unanimous-consent calendar will not be called on the days the House meets?

Mr. McCORMACK. Oh, yes; that would follow naturally. I assume.

Mr. MARTIN of Massachusetts. I understand there will be no business at all transacted during this 3-day recess period; otherwise the Members would all have to be here.

Mr. McCORMACK. There will be no business transacted. The House will meet and immediately adjourn. No business will be transacted during the period covered by the unanimous-consent request.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. RANKIN. That means no speeches will be made?

Mr. McCORMACK. I assume that will be the case under the request that the House meet and immediately adjourn.

Mr. RANKIN. There will be no speeches made?

Mr. McCORMACK. The House meets and immediately adjourns. I believe the gentleman is capable of construing that language.

Mr. BURDICK. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Yes, I yield to the gentleman from North Dakota.

Mr. BURDICK. My position is somewhat changed. I objected, but now I am reserving the right to object. I want to find out what you are trying to do. Maybe it is all right, but I have been under the impression that we have been kept here month after month because of the international situation which might break at any moment. I notice from reports in the last few days that the most dangerous part of the whole program is immediately before us. We might be into the war by tomorrow night, you do not know.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I will yield, but I am not through yet.

At this time the whole world seems to be alive to the situation that we may become involved; and we may become involved without our action at all. If any nation declares war on us we are in. Now just why do we want to leave at this time unless it is on account of the election?

Mr. McCORMACK. That is a very fair question.

Mr. BURDICK. The worst thing that can happen to any one of us in the election is that we might get beat, and as long as I know I am going to get beat anyhow I am not worried.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. MARTIN of Massachusetts. I would not agree to this recess if I thought it would imperil our right to act promptly in the case of a national crisis. I think in this agreement, however, we are adequately protected. We could revoke this whenever we wished. I am sure the gentleman from North Dakota knows I want to safeguard the situation.

Mr. BURDICK. Why was this not done a month ago? [Laughter.]

Mr. MARTIN of Massachusetts. I yield to the gentleman from Massachusetts to answer that.

Mr. McCORMACK. Now that we have the gentleman from North Dakota in a good humor—

Mr. BURDICK. I am always that way, but I still reserve the right to object.

Mr. McCORMACK. In this particular matter I know my friend will not cause any further embarrassment by pressing his objection, but the fact is that I can assure my friend that due to the exigencies of an election year—and we are all practical men and have to recognize that such exigencies exist—this is the first opportunity I, as majority leader, have had to submit such unanimous-consent request.

May I say to the gentleman that 3-day recesses meet the very situation that the gentleman has in mind, and it will also meet another situation that will confront us of the House meeting daily with no business to transact, unless a unanimous-consent request of this kind is agreed to. It also meets another practical situation that we must face with realism, and which the American public also appreciates. Individual Members in both parties are confronted with the question of their reelection, and while the Members of each party want to see its party win nationally, naturally, they are concerned with their own election, and I do not blame them. If I had a close district I know I would be very much concerned, but, fortunately, I am in the position where nomination means election. I like to think in terms of the man who is seeking reelection in a fighting district, and I know the gentleman from North Dakota wants to think in those terms. If we had business to transact, he would be here, and I would be here, but we have no further business to transact. This is only fair and proper. There is a third reason. Consideration should be extended to the necessities and the exigencies of the individual Members.

Mr. BURDICK. What will happen to those of us who have to travel 2,000 miles or more to get home?

Mr. McCORMACK. If this unanimous-consent request is granted, the Members can go home with the knowledge that they may remain there until after election day, unless something happens of an emergency nature, as has been referred to by the gentleman from Massachusetts and myself. If that should occur there would not be any difficulty on the part of the leadership. There will be a spontaneous reaction by all Members to any emergency situation that may arise.

Mr. BURDICK. The gentleman states we have wound up all the business?

Mr. McCORMACK. All legislative business, and I can assure my friend that that has been stated to me personally by President Roosevelt. He has no further recommendation. If we should recess until after election, for example, and an emergency rose, the President would call us back, but 3-day recesses meet that situation.

Mr. MARTIN of Massachusetts. In other words, the 3-day recesses puts it in the control of the House, where we all want it to be.

Mr. McCORMACK. We are continuing in an orderly way. The House continues its sessions but instead of meeting daily it meets every 3 days because of the fact there is no legislation pending which requires the action of Congress at this time.

Mr. WOODRUM of Virginia. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Virginia.

Mr. WOODRUM of Virginia. I am sympathetic with the purpose that the gentleman has in mind, but I believe the arrangement needs some clarification. I have been one of the Members of the House who felt that Congress should remain in at least a stand-by status. I see no reason now for Congress to be in daily session, but I see every reason why we should be in such a situation that we could immediately assume legislative functions if in the judgment of any considerable number of the Members of the House they felt the House should be in session. I am wondering under this arrangement if, for instance, between now and Thursday something occurs that a good many Members of the House think should be considered on Thursday, are we going to be in the situation that we cannot consider that under this agreement?

Mr. McCORMACK. The only answer I can make to that is that if the unanimous-consent request is agreed to, this would permit one recess of 3 days and we would still be in the situation where we would have to wait until the third day.

So that rather than come in next Thursday and repeat the same request to recess until next Monday, then come in and repeat it next Monday for the next 3 days, we are propounding a general request. Of course, 3-day recesses are necessary under the Constitution. We cannot adjourn or recess for longer than that period without joint action.

Mr. MARTIN of Massachusetts. This is simply what we have done a dozen times during this session.

Mr. WOODRUM of Virginia. It is more than that. I think we ought to understand what we are doing. The gentleman has stated there would be no business transacted. Now, that is pretty broad.

Mr. McCORMACK. No ordinary business.

Mr. WOODRUM of Virginia. Suppose there is something that is not controversial which needs legislative action, and this may very well happen in connection with this defense program. It has happened many times since June when lots of folks wanted us to go home. We did not go home. We ought not to tie our hands so that we cannot take up a non-controversial matter that may be brought up which requires the action of Congress next Thursday or next Monday.

Mr. McCORMACK. My answer to that is this: Rather than incur a unanimous-consent request with a lot of conditions, that situation can certainly be met by the leadership on both sides of the aisle. I believe that is the only practical answer that can be made. In other words, the Members may go home with the knowledge that nothing controversial of a legislative nature is going to come up; but if anything urgent comes up, which is noncontroversial, the leadership can get together and iron it out between themselves. I think we may agree to that with that thought in mind.

Mr. RICH. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Pennsylvania.

Mr. RICH. Suppose some Member of Congress wants a monument or a project put over in his own district, he is here and asks unanimous consent for that, you certainly are not going to permit legislation of that kind to go through?

Mr. McCORMACK. No; it would cover only something that requires immediate consideration of an emergency nature. The gentleman from Pennsylvania will understand that this "gentlemen's agreement" means that no legislative business will be transacted as long as the 3-day recesses are in operation.

Mr. RICH. A lot of things happen that the Congress does not know anything about. For instance, we sold 50 obsolete vessels, then we sold 150 tanks. They might sell the whole Navy while we are gone.

Mr. BURDICK. Mr. Speaker, in view of the explanation made by the gentleman from Massachusetts in response to the gentleman from Virginia, I withdraw my objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I feel very strongly that our duty is to be here at Washington. The international situation is very grave, and acts may be committed that may involve us in actual war both in the Pacific and in the Atlantic. The defense program is not going ahead the way I should like to see it go. I have been talking about aviation this morning, and I know how few airplanes the United States has. I shall go into detail regarding the administration's policy in having us unprepared in aviation defense. I realize I am outnumbered, as there are so many Members on both sides of the aisle who feel that the election of the right President, each to his own choice, is more important than our being here continuously, and as I am so greatly in the minority I should be outnumbered and voted down. Of course, I should vote against recessing, even.

May I ask the gentleman what plans are being made for the passage, for instance, of veterans' legislation? We have done practically nothing for the disabled veterans during this



session of the Congress. The House has acted upon legislation but not the Senate. Does the gentleman plan to reconvene immediately after the election in order that we may pass legislation that would do justice to the veterans? I am mentioning just one or two measures that ought to be taken up; certainly, in this Congress.

Mr. McCORMACK. I do not want to get into a broadside discussion of legislation. The gentlewoman from Massachusetts knows my strong sympathy with and support of veterans' legislation.

Mrs. ROGERS of Massachusetts. I know that. The gentleman is very much interested in veterans' legislation, but nothing is being done at this session.

Mr. McCORMACK. I do not want to get into a discussion which might tend to confuse the request I have submitted. I want to keep the request in the form I intended, and which all Members may realize and appreciate without any lengthy argument on my part. This is a very practical way of meeting the state of mind of all Members, as I see it.

Mrs. ROGERS of Massachusetts. But surely the plan is to take up legislation immediately after the election?

Mr. McCORMACK. Of course, I cannot make any statement which goes to that extent. I think it would be a brave Member of the House who would dare to predict what would happen after the election. I would rather not express an opinion on that because it is very remotely pertinent to the request I have submitted, and I would rather not get into a discussion of it.

Mrs. ROGERS of Massachusetts. Public opinion will demand legislative action I believe, but today I am helpless because I am outnumbered in votes. Of course I shall be in Washington for every session of Congress. I shall stay here constantly as always.

Mr. McCORMACK. I know the gentlewoman always cooperates on everything which is reasonable and proper, and this is such an instance, I submit.

Mr. ALEXANDER. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Minnesota.

Mr. ALEXANDER. As I understand, the CONGRESSIONAL RECORD will be printed on Mondays and Thursdays, and there will be an opportunity for the Members to extend in those RECORDS remarks for which permission has been granted previously?

Mr. McCORMACK. Of course, the CONGRESSIONAL RECORD will be printed to include remarks where permission has been granted. I assume that before the day is over separate consideration will be given to that feature.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from California.

Mr. CARTER. I should like to know how this agreement may be terminated. Is it in the hands of the Speaker, is it in the hands of the majority leader, is it in the hands of the minority leader, or is it in the hands of all three of them?

Mr. McCORMACK. No, I would say that it is in the hands of the House itself, operating through the leadership, in which I assume the House has confidence.

Mr. CARTER. Some of us live a considerable distance away. Have we any assurance that on next Thursday or the Monday following or the Thursday following some Member will not object to a further continuance of the recesses? I understand that any one Member can do that.

Mr. McCORMACK. No; because by unanimous consent request is not only for the 3-day recesses but includes the provision that the House will immediately adjourn after meeting on those days. I assume the gentleman from California can have confidence in the fact that the Speaker, the minority leader, and certainly I myself will effectively carry out the gentleman's agreement that is entered into.

Mr. CARTER. The House will recess upon a unanimous-consent request to recess to the next Thursday or the next Monday?

Mr. McCORMACK. No; my unanimous-consent request is that when we adjourn we adjourn to next Thursday, and that there be a period of 3-day recesses thereafter; further, that upon the Chair's calling the House to order the House will immediately adjourn, and no business will be transacted unless the leadership agrees to it; also, that the Members of the House will be given ample notice, unless some emergency arises, as has been referred to, or unless some important legislation which does not have to do with a real emergency but relates to the national defense, and is non-controversial, comes up, and is agreed upon by the leaders.

Mr. CARTER. Is it the gentleman's understanding that the minority leader can come in on Thursday and terminate the 3-day recesses?

Mr. McCORMACK. I have such confidence in the minority leader that I know he would take no action without conferring with the Speaker or with me, and I know the gentleman from California and every Member knows that neither the Speaker nor I would take any action without conferring with the distinguished gentleman from Massachusetts.

Mr. CARTER. I am absolutely certain of that, but the point I have in mind is this. Suppose there were an honest disagreement between the Speaker and the majority leader on one side and the minority leader on the other. In what situation would that leave the minority leader?

Mr. McCORMACK. All I can say is that in trying to accomplish a practical result all anyone can do is to approximate it humanly. As human beings we cannot do everything perfectly. The situation to which the gentleman refers is one I do not believe will arise.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. I do not understand from the remarks of the gentleman from Massachusetts that I am marooned in any way at all by this request.

Mr. McCORMACK. I cannot conceive of the gentleman's being marooned under those circumstances. I would not permit it, as far as I am personally able.

Mr. MARTIN of Massachusetts. It is my understanding that this request is for a 3-day recess, and we are privileged to extend it, if we wish, on the third day.

Mr. McCORMACK. No; I assume that these are continuing 3-day recesses.

Mr. MARTIN of Massachusetts. I want it thoroughly understood that I have the right, at the end of the 3 days, if the international situation becomes involved, to terminate the recess.

Mr. McCORMACK. Exactly; that is understood, but the gentleman would naturally consult with the leadership on the Democratic side prior to any termination of the gentlemen's agreement.

Mr. MARTIN of Massachusetts. Oh, I can assure the gentleman from Massachusetts I would not take a single step without notifying the gentleman and the Speaker.

Mr. McCORMACK. Of course, the gentleman would not.

Mr. MARTIN of Massachusetts. And I know the Speaker and my good friend from Massachusetts would not do so without notifying me, but I want it distinctly understood that the minority does not sacrifice its right of bringing the Congress into session if the international situation were such—

Mr. McCORMACK. No; and the majority does not either. [Applause.]

Mr. CARTER. Even though there might be a disagreement.

Mr. McCORMACK. The gentleman's statement is a fair one, and that is understood. Certainly, the majority party would no more want the minority, by a gentlemen's agreement, to abdicate its responsibility than it would want to abdicate its own responsibility.

The SPEAKER. The gentleman from Massachusetts [Mr. McCORMACK] asks unanimous consent that when the House adjourns today it adjourn to meet on Thursday next, and that is all of the request that the gentleman submits. Is there objection?

Mr. RANKIN. Mr. Speaker, reserving the right to object, I think there is one question that ought to be cleared up about this 3-day recess. Under the Constitution of the United States this House can only adjourn for 3 days at a time except in conjunction with the Senate. So whatever agreement we enter into here can be terminated at the end of 3 days. Any Member of the House has the right to rise and object to a unanimous-consent request and then if we adjourn for 3 days at a time it will have to be by a motion. Of course, the leadership can agree on a program, but they cannot bind every Member of the House, and if the lady from Massachusetts [Mrs. ROGERS], who spoke a while ago about wanting legislation considered, wants to object, at any time she can hold the House in session unless the House votes her down, for a 3-day session. I think that ought to be made perfectly clear before we proceed further.

Mrs. ROGERS of Massachusetts. Mr. Speaker—

Mr. RANKIN. Now, Mr. Speaker, I am going to demand the regular order. If we are going to debate this all day, we might as well go ahead and introduce a resolution.

I demand the regular order, Mr. Speaker.

Mrs. ROGERS of Massachusetts. Mr. Speaker—

The SPEAKER. What is the request of the gentleman from Massachusetts [Mr. McCORMACK]?

Mr. McCORMACK. My request, Mr. Speaker, is that when the House adjourns today it adjourn to meet on Thursday next, and when it meets on Thursday next that no business shall be transacted and it adjourn for 3 days at a time until further notice from the Speaker or the minority leader.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I object.

Mr. RANKIN. Mr. Speaker, reserving the right to object, that agreement would not be binding on the membership of the House beyond the 3-day limit. You cannot enter into an agreement now that is binding on the membership of the House as to what you will do at the end of the 3 days, but you can state your policy or what you propose to do at the end of the 3 days.

Mr. McCORMACK. My unanimous-consent request is that when the House adjourns today it adjourn to meet on Thursday next and that no business be transacted on that day.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. CHURCH. Reserving the right to object, Mr. Speaker—

The SPEAKER. The regular order has been demanded. Is there objection?

Mr. CHURCH. Mr. Speaker, I reserve the right to object.

The SPEAKER. The regular order has been demanded, and the gentleman cannot reserve the right to object.

Mr. CHURCH. I shall object until I get an answer—

The SPEAKER. There is only one thing the gentleman can do now.

Mr. CHURCH. I shall object unless I shall get an answer to a question.

The SPEAKER. Objection is heard.

#### RESIGNATIONS

The SPEAKER laid before the House the following resignation:

WASHINGTON, N. C.

HON. SAM RAYBURN,

*Speaker, House of Representatives.*

MY DEAR MR. SPEAKER: I herewith submit my resignation as chairman of the Committee on Accounts, effective at the close of business October 31, 1940.

Respectfully,

LINDSAY C. WARREN.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

The SPEAKER laid before the House the following resignation:

WASHINGTON, D. C.

HON. SAM RAYBURN,

*Speaker, House of Representatives, Washington, D. C.*

MY DEAR MR. SPEAKER: I herewith submit my resignation as chairman of the Committee on Expenditures in the Executive Departments, effective at the close of business October 31.

It is my intention to retain my membership on the committee.

Sincerely yours,

JOHN J. COCHRAN.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

#### ELECTION TO COMMITTEES

Mr. CULLEN. Mr. Speaker, I offer a privileged resolution (H. Res. 626) and move its adoption.

The Clerk read as follows:

#### House Resolution 626

*Resolved*, That JOHN J. COCHRAN, of Missouri, be, and he is hereby, elected chairman of the standing committee of the House of Representatives on Accounts, effective as of November 1, 1940.

The resolution was agreed to.

Mr. CULLEN. Mr. Speaker, I offer a further privileged resolution (H. Res. 627) and move its adoption.

The Clerk read as follows:

#### House Resolution 627

*Resolved*, That JAMES A. O'LEARY, of New York, be, and he is hereby, elected chairman of the standing committee of the House of Representatives on Expenditures in the Executive Departments, effective as of November 1, 1940.

The resolution was agreed to.

#### ORDER OF BUSINESS

Mr. DINGELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DINGELL. When the House adjourned last it was because of the lack of a quorum. I hold, and I should like a ruling from the Chair, as to whether we may transact any further business without a quorum and whether it is not essential that we proceed to determine whether there is a quorum present at this time?

The SPEAKER. Not unless the question is raised.

Mr. DINGELL. Well, I raise the point of order that there is no quorum present.

Mr. PATMAN. Will the gentleman withhold that for the time being?

Mr. DINGELL. I withdraw it temporarily.

#### EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks on two subjects and include certain excerpts.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

By unanimous consent Mr. WARD was granted permission to extend his own remarks in the RECORD.

#### THREE-DAY RECESSES

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. REED of New York. Mr. Speaker, I am addressing the Chair. There seems to be some confusion in regard to this question of 3-day recesses. I believe it would greatly clarify the situation if the minority leader and the majority leader were to get together and formulate a resolution in such terms that the House would thoroughly understand what we were adopting. I believe if that were done the House could very quickly come to a conclusion of the matter without any serious objection.

Mr. McCORMACK. Will the gentleman yield?

Mr. REED of New York. I yield.

Mr. McCORMACK. I have made the request that by unanimous consent when the House adjourns today it adjourn to meet on Thursday, and I believe that request meets



the whole situation. We all understand, as a result of the colloquy, what will happen.

Mr. REED of New York. What I had in mind was there would be something definite before us and before the country. It will be there and it can be read and it does not provoke discussion.

Mr. McCORMACK. I know my friend is trying to help out and we only had this colloquy for that purpose. The whole colloquy was to explain my request. I simply made the unanimous consent request that when the House adjourns today it adjourn to meet on Thursday next.

Mr. REED of New York. But we have had the colloquy now and various views have been expressed. It can be very easily reduced to writing in such a way as to cover the points raised and then we will have something definite and I believe we can move along in an orderly way.

[Here the gavel fell.]

#### ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I renew my unanimous-consent request that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. CHURCH. Mr. Speaker, reserving the right to object in order to raise the question I intended to raise a while ago, if there is even an explanation that we cannot do business on Thursday or the following Monday, if we cannot do business, then you cannot adjourn this House on that day. That is doing business. Therefore if the gentleman includes that he is doing something by his action that this Congress has no right to do. If the gentleman confines his statement to that request just now made by him, then all rights are reserved until Thursday, naturally.

Mr. McCORMACK. Whether or not the gentleman is correct, I will not pass upon, but my unanimous-consent request is that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

#### VETO MESSAGE—LOUIS D. FRIEDMAN

The SPEAKER. The Chair desires to state that not knowing what the situation may be in the next few minutes, there are two additional veto messages from the President of the United States on the Speaker's table.

When the House adjourned on Thursday last the unfinished business before the House, and is, the motion of the gentleman from New York [Mr. DICKSTEIN] that the bill H. R. 7179 and the veto message of the President, with the accompanying papers, be referred to the Committee on Immigration and Naturalization, and ordered to be printed.

The question was taken; and the motion was agreed to.

A motion to reconsider was laid on the table.

#### VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES— W. M. HURLEY AND JOE WHITSON (H. DOC. NO. 974)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and together with the accompanying papers, was, on motion of Mr. RAMSPECK, referred to the Committee on Claims and ordered to be printed.

#### To the House of Representatives:

I return herewith, without my approval, H. R. 775, an act authorizing payment of the sum of \$500 to W. M. Hurley, and the sum of \$1,500 to Joe Whitson, for damages to their property situated in the city of North Little Rock, Ark., as a result of the alleged failure of the United States to keep in repair a dike constructed on the Arkansas River.

As shown by the reports of the Secretary of War to the Claims Committee of the House, the damage to the claimants' property resulted not from a lack of maintenance of the adjacent dike structure by the Government, but rather as a result of unprecedented high-river conditions obtaining in February,

1938, and the impingement of the floodwater due to the dumping of old automobiles and other refuse in the river.

It is true that the Government has heretofore accepted responsibility for damage due to the deepening of a canal. This case, however, involves an improvement in a natural channel in aid of navigation in pursuance of authority conferred by law, constitutional and statutory. In making this improvement for the benefit of navigation, the Government did not impliedly contract with adjoining or nearby landowners, or assume a moral obligation to keep it in repair and protect them from the consequences of a break. It has not been shown that the improvement itself, either directly or indirectly, caused the damage, although by additional expenditure of public funds for inspection, policing, and maintenance, the damage might have been prevented.

To assume responsibility in this case would imply an obligation to do so in every case of a similar nature and thus entail a financial burden which, in the aggregate, it would be difficult to estimate and improper to assume. It has been consistently held by our courts that the Government is not responsible for the consequential effects of such improvements and it is not believed that such a responsibility should now be added to the already heavy cost thereof.

I regret, therefore, that I do not feel justified, for the reasons above indicated, in approving the bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, October 10, 1940.

The SPEAKER. The objections of the President will be spread at large upon the Journal.

#### VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES— LUTHER HADEN (H. DOC. NO. 973)

The SPEAKER laid before the House the following message from the President of the United States which was read and together with the accompanying papers was on motion of the gentleman from Georgia [Mr. RAMSPECK] referred to the Committee on Claims and ordered to be printed.

#### To the House of Representatives:

I return herewith, without my approval, H. R. 8743, "for the relief of Luther Haden."

It is the purpose of the bill to pay the sum of \$1,500 to Luther Haden, of Columbus, Ga., in settlement of his claims against the United States for personal injuries suffered by him on October 21, 1938, as the result of an explosion in the Muscogee County jail, where he was held as a Federal prisoner.

It is a regular and lawful practice to house Federal prisoners in local jails. From aught that appears, this was a suitable and proper place in which to confine the prisoner. The Federal Government was not an insurer of the prisoner's safety. It owed him the duty of exercising reasonable care for his safety, and this duty was fully performed. If the injury was due to negligence either in permitting gas to accumulate in the furnace room or causing its ignition, the responsibility is on the local authorities for not keeping the premises in a safe condition. It may be assumed that a claim filed with the local government would receive appropriate consideration. The liability, if any, is tortious rather than contractual.

I regret, therefore, that I do not feel justified in approving the bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, October 10, 1940.

The SPEAKER. The objections of the President will be spread at large upon the Journal.

#### STATE HOME-GUARD UNITS

Mr. THOMASON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 10495) to amend section 61 of the National Defense Act of June 3, 1916, by adding a proviso which will permit States to organize military units not a part of the National Guard, and for other purposes, with a Senate amendment, and to concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

"That section 61 of the National Defense Act of June 3, 1916, be amended to read as follows:

"No State shall maintain troops in time of peace other than as authorized in accordance with the organization prescribed under this act: *Provided*, That nothing contained in this act shall be construed as limiting the rights of the States and Territories in the use of the National Guard within their respective borders in time of peace: *Provided further*, That nothing contained in this act shall prevent the organization and maintenance of State police or constabulary: *Provided further*, That under such regulations as the Secretary of War may prescribe for discipline in training, the organization by and maintenance within any State of such military forces other than National Guard as may be provided by the laws of such State is hereby authorized while any part of the National Guard of the State concerned is in active Federal service: *Provided further*, That such forces shall not be called, ordered, or in any manner drafted, as such, into the military services of the United States; however, no person shall, by reason of his membership in any such unit, be exempted from military service under any Federal law: *And provided further*, That the Secretary of War in his discretion and under regulations determined by him, is authorized to issue, from time to time, for the use of such military units, to any State, upon requisition of the Governor thereof, such arms and equipment as may be in possession of and can be spared by the War Department."

Mr. RICH. Mr. Speaker, reserving the right to object, as I understand, Congress voted to take over the State militia. Does this bill contemplate the establishment of another militia in the various States under the same rules and regulations that the National Guard was established?

Mr. THOMASON. If the gentleman does not mind, I will ask the gentleman from Connecticut [Mr. SMITH] to answer, as he is familiar with the details.

Mr. SMITH of Connecticut. The units established under this bill would be State units whose obligations would be to perform the duties of the National Guard while the National Guard units are outside of the States. Such units are necessary in some States for the guarding of waterworks and other public utilities against sabotage. A number of the States feel they should have some military units at hand.

The Federal Government has some equipment it can lend to the States, including, as the gentleman knows, a great number of rifles to arm such units. It is practically the same system that was used at the time of the World War when the National Guard was called from the States and the so-called State guard was set up.

Many of the States have already gone ahead and organized these units, but they need equipment and arms. These guard units have been officered in many cases by former National Guard officers who have either retired or resigned, and by World War veterans beyond the age limit for active military service.

The prohibition in the Defense Act against the maintenance of troops outside of the National Guard was held to prohibit the War Department from lending any equipment to any State unit outside of the National Guard except to those few known as the Ancient Corps under section 63 of the act. There has been a dispute as to the constitutionality of trying to prevent any militia unit from being set up by a State under this section of the Defense Act; but regardless of the question of constitutionality of the existing provision of the Defense Act there is no question but that the legislation we have here is necessary before the Federal Government could lend equipment to the States; and it is necessary in order to make effective these State units which many of the States, including New York, Connecticut, Texas, and others, are now setting up to take the place of the guard while the guard is away in the Federal service.

Mr. RICH. When the bill was passed under which the National Guard was ordered into the Regular Army service for a year I objected because I realized that the States would need some kind of organization to guard the public property and maintain order if necessary. That was my principal reason for objecting to the Federal Government's putting them into the Regular Army. We now find out that I was right, that the States do need some kind of effective military organization to deal with emergencies.

Mr. SMITH of Connecticut. We find that both are necessary.

Mr. RICH. I am glad some kind of legislation has been brought into set-up units to take the place of the National Guard. Let me ask this further question if the gentleman will permit: Is the Federal Government going to aid and assist the States in maintaining the forces to be established under this bill outside of furnishing the arms?

Mr. SMITH of Connecticut. No; there is no provision for any Federal aid in this bill beyond the furnishing of arms and equipment if the Government has them to lend.

Mr. RICH. Has the committee had request from various States seeking to establish organizations of this kind?

Mr. SMITH of Connecticut. Yes. My own State is one that is proceeding.

Mr. RICH. If we are being called upon to furnish them guns will we not also be called upon to furnish them other assistance?

Mr. SMITH of Connecticut. I do not think that follows necessarily.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. COOLEY. In the State of North Carolina every unit of the National Guard has gone into the Federal service. At the present time we do not have any National Guard in the whole State. Do I understand that under this bill the Federal Government will lend equipment to the State governments?

Mr. SMITH of Connecticut. Insofar as equipment is available, yes.

Mr. COOLEY. For the purpose of equipping the home guard?

Mr. SMITH of Connecticut. Yes, insofar as the War Department has the equipment. At the present time, as I say, we have plenty of rifles. There are over 2,000,000 rifles on hand now.

Mr. COOLEY. How about ammunition for those rifles?

Mr. SMITH of Connecticut. There will be some ammunition available.

Mr. RICH. Then do I understand that the Federal Government will not contribute anything to the maintenance of the home guard, but that is a matter that will have to be left entirely to the States?

Mr. SMITH of Connecticut. There is no provision for it in this bill. The immediate purpose of this bill is to obtain equipment for them. We have not gone any further in view of the legislative situation and the lack of time right now to go into it any more thoroughly. The National Guard, of course, is called out for only 1 year under the present situation, so that this is more or less a temporary set-up to take the place of the guard while the guard is in the Federal service.

Mr. COOLEY. Is the only purpose of the legislation that we are now considering to authorize the lending of equipment now available to the States?

Mr. SMITH of Connecticut. To authorize the States to maintain these units outside the National Guard and to lend equipment to them.

Mr. ELSTON. Mr. Speaker, reserving the right to object, as I understand it, this bill is absolutely necessary if the States are to have any units at all during the time that the National Guard is in the Federal service? It is also necessary if the States are to get any help at all from the Federal Government in the way of arms, ammunition, or equipment?

Mr. SMITH of Connecticut. Certainly it is necessary if the Federal Government is to furnish them arms, ammunition, and equipment. There is some question as to whether the present prohibition against the States maintaining units outside the National Guard, which is now in the law, is effective, but this removes any question about that. This makes it clear that the States may maintain the units and the Government may lend the States such equipment and arms as it has available.

Mr. ELSTON. This bill, as I understand it, was unanimously passed by the House and unanimously passed the Senate with certain amendments?



Mr. SMITH of Connecticut. I think there was one vote against it in the Senate, if I recall correctly. It was reported by the House committee unanimously. It passed the House and was amended in the Senate very little and these were restrictive amendments, which provided that the Secretary of War shall prescribe legislation for the training and discipline of the units, and providing that the units themselves could not be called into the Federal service as units. In other words, they would remain as State troops.

Mr. ELSTON. Is there anything in the restrictive amendment passed by the Senate which would preclude the Governor of any State from calling those troops into any kind of service the Governor may see fit?

Mr. SMITH of Connecticut. Not at all.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. THOMASON]?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—GRACE MURPHY (H. DOC. NO. 970)

The SPEAKER laid before the House the following veto message from the President of the United States:

*To the House of Representatives:*

I return herewith, without my approval, H. R. 2214, Seventy-sixth Congress, third session, entitled "An act for the relief of M. Grace Murphy, administratrix of the estate of John H. Murphy, deceased."

This enactment would authorize and direct the Secretary of the Treasury to pay to M. Grace Murphy, Boston, Mass., administratrix of the estate of John H. Murphy, deceased, out of any money in the Treasury not otherwise appropriated, the sum of \$125,000, in full settlement of all claims against the United States for compensation for services performed and expenses incurred by John H. Murphy, deceased, in connection with sale to the Government of Poland of certain surplus war materials.

Shortly after the World War the United States Government was in possession of quantities of various railroad equipment of continental type, of which 7,554 railroad cars were disposed of by contracts of conditional sale to the U. S. A. International Corporation. Mr. John H. Murphy, the deceased husband of the beneficiary of this enactment, was the executive sales head and a stockholder of this corporation. As representative of the corporation he sailed for Europe and entered into negotiations with Serbia and Bulgaria for the sale of the cars, but was, for various reasons, unable to consummate the sale and returned to the United States. At this time the conditional sales contracts between the United States and the corporation had expired under their terms for nonpayment of the installments due. An initial payment of \$201,318, paid under one of the contracts, was, after the cancellation of the contract, covered into the Treasury to the credit of the United States as liquidated damages.

Following conferences with the Secretary of War and other Government officials, Mr. Murphy returned to Europe in a further attempt to dispose of the cars on his own initiative, apparently in the hope of recouping the losses of the corporation. He succeeded in interesting the Polish Government in the matter and was responsible to a degree for the institution of negotiations looking to the purchase of the cars by that Government. However, this transaction was never consummated, but, on the contrary, was abandoned by the Polish Government and by the United States Government. If he had been the procuring agency in effecting this sale, it would be appropriate for the Government to compensate Mr. Murphy for efforts which resulted in a financial benefit to the United States. However, he was unable to effect a sale and thereafter the cars were offered for sale on competitive bids and the Polish Government, one of 11 bidders, was awarded 7,554 freight cars, the consideration being \$1,208,640 in cash and

\$3,625,920 in 6-year 5-percent notes. It cannot be said, however, that the interest of the Polish Government in this purchase was due, save only in slight degree, to the efforts of Mr. Murphy, since the Polish Government had previously purchased 4,600 similar cars from the United States Government; and it was a matter of public knowledge that the cars in question were on the market.

The beneficiary of this enactment filed suit in the Court of Claims for \$731,281.85, alleged to represent the commission for supplying the purchaser for the cars. The court dismissed the petition and, after fully setting forth the facts, stated in its opinion as follows:

\* \* \* We find no precedent sustaining a contention that the department was liable for broker's commission for a sale of property conducted under its own initiative, by its own officers, and in accord with its own terms and conditions exclusively. \* \* \* (68 Ct. Cls. 149 at 168.)

I agree with this view expressed by the Court of Claims. While it appears that Mr. Murphy was diligent and active in his efforts to effect a sale, it is clear that he was unable to do so. It also appears that he was not the procuring cause of the sale subsequently made to the Polish Government after competitive bidding. In this view approval of this enactment is objectionable, because it would mark a departure from the general law and likewise establish a precedent contrary to sound policy.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, October 10, 1940.

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. RAMSPECK. Mr. Speaker, I move that the bill and veto message be referred to the Committee on Claims and ordered to be printed.

The motion was agreed to.

VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—EDWARD WORKMAN (H. DOC. NO. 969)

The SPEAKER laid before the House the following veto message from the President of the United States:

*To the House of Representatives:*

I return herewith, without my approval, a bill (H. R. 428) entitled "An act for the relief of Edward Workman."

This legislation would provide for the payment of the sum of \$3,000 as compensation for the death of his 3-year-old son, who was run over by a Civilian Conservation Corps truck.

It appears that on September 2, 1936, Mr. Workman parked his car on a highway near the Wawasee State Fish Hatchery in the State of Indiana, to permit his child to get a drink from a well located nearby. The father remained seated in his car. In order to reach the well it was necessary for the child to walk across a side road which entered the main highway. The child was struck and killed by an approaching Civilian Conservation Corps truck.

While there is some dispute as to the circumstances immediately preceding and following the accident, and it is evident that the driver of the truck failed to see the child, it does not satisfactorily appear that this was due to negligence on his part or that the Government could be held legally responsible if it should waive immunity and permit an action in tort to be brought against it.

The bereaved family is entitled to our most profound sympathy. From the evidence available, however, it is not believed that an award of compensation would be justified in this case.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, October 10, 1940.

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. RAMSPECK. Mr. Speaker, I move that the bill and message be referred to the Committee on Claims and ordered to be printed.

The motion was agreed to.

**VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—  
BOLINROSS CHEMICAL CO. (H. DOC. NO. 972)**

The SPEAKER laid before the House the following veto message from the President of the United States:

*To the House of Representatives:*

I am returning herewith, without my approval, H. R. 8868, a bill "Conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of the Bolinross Chemical Co., Inc."

The claims are based upon alleged destruction, wantonly and unnecessarily, of machinery, equipment, raw materials, and finished products, and the consequent loss of business, by reason of a raid on the chemical plant of the company at Newark, N. J., by prohibition agents of the United States on or about February 20, 1929. The aggregate amount of loss and damage claimed is \$200,000.

The records of the Treasury Department show that on February 20, 1929, certain Federal prohibition inspectors and a Government chemist, attached to the Newark office of the Prohibition Administrator, made an inspection of the premises of the Bolinross Chemical Co. and discovered a still being used in violation of the National Prohibition Act and the internal revenue laws in the production of alcohol fit for beverage purposes by the redistillation, or "cleaning," of ethyl acetate. The practice of "cleaning" ethyl acetate, that is, the recovery of alcohol therefrom, was at this time developing throughout the country into a prolific source of frauds upon the internal revenue. Upon discovering that the National Prohibition Act and the internal-revenue laws were apparently being violated in their presence, the prohibition inspectors arrested the persons found to be involved, including certain officers and employees of the plant.

Upon arresting the persons involved, the Government officials seized certain personal property consisting of distillery equipment and contraband liquors. The seized property was removed from the premises. A libel of condemnation was filed in due course and an order of forfeiture entered against the seized property. In pursuance to the decree of condemnation, the United States marshal destroyed the seized illicit distillery apparatus and contraband liquors, and sold the junk metal recovered. The proceeds, \$130, were turned over by the marshal to the collector of internal revenue and deposited into the Treasury in accordance with law.

The seizures made on the premises of this claimant were authorized under title II of the National Prohibition Act and sections 3257, 3259, 3260, 3281, and 3453 of the Revised Statutes. The Department records show that the case was handled throughout in accordance with laws and regulations in force at the time.

There is nothing to distinguish this claim from a large number of other claims of this character, which have been denied, except that part of the claim for "the loss" of claimant's "business."

As the result of an exhaustive investigation conducted by the Department, it has been ascertained that the claimant company was on the verge of receivership at the time the Government officials made the seizures above-described. At the time the seizures were made, February 20, 1929, the claimant was unable to meet its obligations as shown by the fact that it was without sufficient funds to pay its rent or the salaries of its employees.

The company had been organized and commenced operations less than 2 years before with equipment purchased from a bankrupt concern for \$5,000 by one of the incorporators named Lindsley, who also provided the initial working capital amounting to \$10,000 and contributed further assistance as the company needed it. Shortly before the raid and seizure in February 1929 Lindsley withdrew from the company because he was convinced it was going to fail. It went into receivership in April 1929 listing assets worth \$3,000, according to an affidavit filed by one Frederick G. Ross, a stockholder and officer who had previously filed a petition for vol-

untary individual bankruptcy and who subsequently obtained his final discharge in July 1929.

The receivership was revived in 1936 on petition of Ross who had meanwhile acquired all the stock of the company, alleging that he might have a valid claim against the United States Government for illegal entry on the company's premises. Although Ross was one of the incorporators and original stockholders, it appears unlikely that he invested any substantial amount in the company prior to the receivership in view of his then pending personal bankruptcy and the sworn statement of Lindsley that he was the only one who put money into it.

It is noted that a grand jury declined to return an indictment against the persons arrested at the time of the raid. Neither the company itself nor the receiver, however, saw fit at that time to contest the libel proceedings, or make any effort to prove that the raid and seizure of the company's property was unwarranted.

From the circumstances above recited and other facts disclosed by the investigation into the company's affairs, it is evident that the company's failure was due to natural causes rather than to the seizure and destruction of equipment by the prohibition inspectors. After a lapse of 10 years, during which records and witnesses disappear and memories become stale, the Government is hardly called upon to submit voluntarily to the risk of litigation and possible heavy damages on a claim so apparently lacking in genuine and substantial merit.

For the reasons stated herein, I withhold my approval.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, October 14, 1940.

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. RAMSPECK. Mr. Speaker, I move that the bill and the message be referred to the Committee on Claims and ordered to be printed.

The motion was agreed to.

**VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—  
CLEVELAND NATIONAL FOREST, CALIF. (H. DOC. NO. 971)**

The Speaker laid before the House the following veto message from the President of the United States:

*To the House of Representatives:*

I am returning herewith, without my approval, H. R. 2728, entitled, "An act to add certain lands to the Cleveland National Forest in Orange County, Calif."

This enrolled bill would authorize an appropriation of not to exceed \$45,000 for the purchase of a tract of approximately 1,000 acres for addition to the Cleveland National Forest. An investigation of this area indicates that the chief value of these lands is for recreational purposes.

While their use for outdoor recreation ranks high among the many public values of our national forests, I do not believe justification can be found for adding at this time to these extensive areas, by purchase, lands which are primarily recreational in character. It is my feeling that Federal land purchase activities should, for the present, be confined to the most critical areas of maladjustment in land use.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, October 14, 1940.

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. HILL. Mr. Speaker, I move that the bill and message be referred to the Committee on Public Lands and ordered to be printed.

The motion was agreed to.

**CIVILIAN CONSERVATION CORPS**

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 4338) to establish a Civilian Conservation Corps, and for other purposes, for immediate consideration.



The SPEAKER. Is there objection to the request of the gentlewoman from New Jersey?

Mr. MICHENER. Reserving the right to object, I see the gentleman from Michigan [Mr. HOFFMAN], a member on the minority side of the Committee on Labor, is present. Does the gentleman wish to say anything about this bill?

Mr. HOFFMAN. Mr. Speaker, as I understand this bill there is a provision in the law with reference to C. C. C. camps on Indian reservations that prohibits the enlistment of anyone for more than 2 years except one mess cook, three other employees, and veterans, and now you are adding Indians to these exemptions.

Mrs. NORTON. May I say to the gentleman that the bill has for its purpose the removal of the restriction on the length of service of Indian enrollees in the Civilian Conservation Corps. Indian enrollees are mature men; they are not boys. The work they are doing is continuing work on conservation on Indian reservations. I would say that most of these Indians are stationed in Alaska and, although many of the States would also profit by this amendment, the condition in Alaska is very acute. I am sure the Delegate from Alaska would be very glad to explain the situation regarding Indian enrollees in Alaska.

Mr. SCHAFER of Wisconsin. Reserving the right to object, Mr. Speaker, I am a member of the Committee on Indian Affairs. May I inform the Members of the House that the Committee on Indian Affairs has held extensive hearings on many bills concerning Indians. We have found that many thousand American Indians are ill-housed, ill-fed, and ill-clothed—so many, in fact, that our committee unanimously reported out the O'Connor bill to authorize the appropriation of \$10,000,000 to take care of those needy Indians. I understand that the passage of this bill will permit the Government to utilize and pay for the services of many of these ill-housed, ill-clothed, and ill-fed Indians. The passage of this bill will therefore be in the interest of the Federal Treasury as well as the Indians, who will be employed doing useful and necessary work on the Indian reservations.

Mr. DIMOND. The gentleman is quite right. The situation in Alaska particularly is terribly acute, although this bill has Nation-wide scope. I introduced a similar bill in the House for the purpose principally of serving the Alaskan natives. They need the help which this measure will give them, and they need it now. Their economic condition is tragically low. If some of them can be continued upon the C. C. C. work, as the gentleman from Wisconsin said, it will save the Federal Treasury money in another respect and will be a distinct benefit to them and to the whole citizenry of Alaska.

Mr. HOFFMAN. Reserving the right to object, Mr. Speaker, the law as it stands today limits the enrollment to a period of 6 months except for one mess cook and a couple of other cooks, and veterans. Now we have fixed it so the Indians can enlist for 2 years along with the veterans.

Mr. DIMOND. It removes the limitation, yes; whatever the legal limitation is.

Mr. HOFFMAN. It extends the period of enlistment for the Indians. I have Indians in my district, but we have no C. C. C. camps for them.

Mr. CASE of South Dakota. Reserving the right to object, Mr. Speaker, I believe the legislation is clarifying because in the first part of the paragraph the Indians are included, and I feel that the failure to repeat the word later was an error in drafting the bill.

Mr. HOFFMAN. Oh, no.

Mr. CASE of South Dakota. I may say also that I believe this is clearly in the interest of the Federal Treasury, because if these Indians are not permitted to work they have to be fed anyway, and you will have the expense without getting anything for it.

Mr. HOFFMAN. I shall not object, but there should not be any misunderstanding about it. This creates a new class, and that is all there is to it.

Mr. DIMOND. It exempts the Indians from the present limitation in the law with respect to continuity of employment in C. C. C. camps.

Mr. HORTON. Reserving the right to object, Mr. Speaker, do I understand this has to do with work in Civilian Conservation Corps camps only?

Mr. DIMOND. That is all.

Mr. HORTON. And through the C. C. C. it does give additional work to the Indians?

Mr. DIMOND. It may give additional work to the Indians, and, of course, it will permit them to be carried as C. C. C. enrollees beyond the time they otherwise would be obliged to go off the rolls. It particularly takes care of the older Indians who cannot get jobs anywhere else. It is one of the most beneficial things I can think of. It is true that during the summer season many of the Indians of Alaska are employed in fishing, but their income from that occupation is generally so meager that it will not support them and their families during the winter, and in the winter season no other occupation or employment is available for most of them. A few engage in trapping but ordinarily fur-bearing animals are not abundant, with the result that little income can be derived from that type of work. During the last few years the C. C. C. has supplied much needed work for a considerable number of the natives, and many of those so employed are rapidly approaching the time when they can no longer be accepted as C. C. C. enrollees. If they are cut off from the C. C. C., numbers of them will suffer severely, and, as indicated by the gentleman from South Dakota [Mr. CASE], it will be necessary to furnish them with some other form of aid. Winter is now approaching and we must have relief at once if suffering is to be avoided. Therefore, I hope and urge that this bill be passed today. It is a Senate bill, and if passed by this House will go direct to the President for his approval. The bill is recommended by the C. C. C. authorities and by the Bureau of Indian Affairs. Mr. B. Frank Heintzleman, Regional Forester for Alaska, under whose supervision C. C. C. work in Alaska is carried on, and who is intimately familiar with the needs of the natives, has written me on several occasions urging prompt action.

The SPEAKER. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 8 of the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937 (50 Stat. 319), as amended by the act of May 12, 1938 (52 Stat. 349), is further amended by adding after the words "War veterans" in the second proviso of said section the following: "and Indians."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### ARLINGTON FARM, VIRGINIA

Mr. JONES of Texas. Mr. Speaker, I call up the conference report on the bill (S. 4107) to transfer the jurisdiction of the Arlington Farm, Virginia, to the jurisdictions of the War Department and the Department of the Interior, and for other purposes.

The Clerk read the title of the bill.

The Clerk read the conference report.

The conference report and statement are as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4107) to transfer the jurisdiction of the Arlington Farm, Va., to the jurisdictions of the War Department and the Department of the Interior, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, and 3, and agree to the same.

Amendment numbered 4: That the Senate recede from its disagreement to the amendment of the House numbered 4, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be stricken out by the House amendment insert the following:

"Sec. 4. The Secretary of War is hereby authorized to transfer to the Secretary of the Interior a right of way two hundred feet wide extending from a point near the southeast corner of the Arlington Cemetery in a northeasterly direction to the Boundary Channel, in order to provide an adequate approach road to the Arlington Memo-

rial Bridge, the construction of which road is hereby authorized, and, with the approval of the President, to transfer to the Secretary of the Interior until needed such other lands transferred to or acquired by the Secretary of War under this Act as may not be immediately necessary for military purposes."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title.

MARVIN JONES,  
H. P. FULMER,  
CLIFFORD R. HOPE,

*Managers on the part of the House.*

MORRIS SHEPPARD,  
SHERMAN MINTON,  
ELBERT D. THOMAS,  
WARREN R. AUSTIN,  
CHAN GURNEY,

*Managers on the part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4107) to transfer the jurisdiction of the Arlington Farm, Virginia, to the jurisdictions of the War Department and the Department of the Interior, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate bill transferred that part of Arlington Farm west of the Rosslyn connecting railroad from the Secretary of Agriculture to the Secretary of War. That part of the farm lying east of the Rosslyn connecting railroad was transferred from the Secretary of Agriculture to the Secretary of the Interior.

Under the House amendments and the conference agreement, the entire farm is transferred to the Secretary of War.

The Senate bill authorized an appropriation of \$4,000,000 to enable the Secretary of War to acquire land adjacent to the land transferred to him under the bill. It also authorized an appropriation of \$1,000,000 to enable the Secretary of the Interior to acquire land adjacent to the land transferred to him under the bill.

Under the House amendments and the conference agreement, an appropriation of \$5,000,000 is authorized to enable the Secretary of War to acquire land adjacent to the land transferred to him, which under the House amendments and the conference agreement is the entire farm.

The House amendments and the conference agreement contain a provision, which was not in the Senate bill, under which, if the purchase of additional land meets the requirements of the War Department, the Secretary of War may allow the Secretary of Agriculture to continue the operation of the Arlington Experiment Station at its present site.

The Senate bill provided for the transfer by the Secretary of War to the Secretary of the Interior of a right of way to provide an approach road to the Arlington Memorial Bridge and authorized the construction of such road. The House amendment struck this out. The conference agreement restores this provision.

The House amendment struck out that part of the Senate bill which provided for the transfer to and acquisition by the Secretary of the Interior of land. The conference agreement authorizes the transfer, by the Secretary of War, with the approval of the President, of land to the Secretary of the Interior. Lands transferred are to be such as may not be immediately necessary for military purposes, and they are to be transferred until needed for such purposes.

To accomplish the above results, the Senate recedes on amendments numbered 1, 2, and 3, and the Senate recedes with an amendment on amendment numbered 4.

The conference agreement adopts the House title to the bill.

MARVIN JONES,  
H. P. FULMER,  
CLIFFORD R. HOPE,

*Managers on the part of the House.*

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. JONES of Texas. I yield to the gentleman from Pennsylvania.

Mr. RICH. In the transfer of this property we presume the gentleman from Texas is going to carry out as nearly as he can the request that the Department of Agriculture use the experimental station it has about 10 miles out on the Baltimore Pike, rather than purchase expensive land near the District costing from \$2,000 to \$5,000 an acre.

Mr. JONES of Texas. I took that matter up with them and urged that they do it. I assure the gentleman, too, that I took up the other question of the purchase of expensive land, and they assured me they had an option on land that could be had for an average of about \$300 an acre for such extra land as they may need, so that will handle the situation.

Mr. RICH. I congratulate the gentleman from Texas in getting them to do that.

Mr. JONES of Texas. I thank the gentleman. I am in thorough accord with the sentiment the gentleman expressed on that matter the other day.

Mr. HOPE. Mr. Speaker, will the gentleman yield?

Mr. JONES of Texas. I yield to the gentleman from Kansas.

Mr. HOPE. I should like to have the gentleman tell the House whether or not this bill contains all the House amendments and one additional amendment.

Mr. JONES of Texas. Yes; the Senate accepted all the House amendments and all the House restrictions. Then we added one additional amendment which permits building of a road from the Arlington Cemetery to the Arlington Memorial Bridge, and also permits transfer temporarily to the Department of the Interior, until needed, of any part which may not be immediately needed for military purposes.

The conference report was agreed to.

A motion to reconsider was laid on the table.

#### OVERTIME COMPENSATION FOR EMPLOYEES OF THE FIELD SERVICES OF THE WAR DEPARTMENT AND THE FIELD SERVICES OF THE PANAMA CANAL

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4208) establishing overtime rates for compensation for employees of the field service of the War Department and the field service of the Panama Canal, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. RICH. Mr. Speaker, reserving the right to object, what are these services for which you are proposing to pay overtime?

Mr. RAMSPECK. The Secretary of War and the Assistant Secretary of War, Mr. Patterson, say that they have the legal authority now to pay overtime to certain employees of the War Department in the arsenals and at the Panama Canal, but as to others they have not this authority and this creates a bad administrative situation. They have recommended this bill, which has passed the Senate, and it is my understanding we have given the same authority to the Navy Department as to the Navy yards.

I have here a letter from both Secretary of War Stimson and Assistant Secretary of War Patterson urging the immediate passage of this legislation.

Mr. RICH. Is it going to be the purpose of the War Department now to continue to give greater compensation to these Government employees that work overtime instead of trying to take the people that are on the relief rolls and give them jobs? What we want to do is to put the men who are on W. P. A. and other organizations of that kind to work. That was the intent and purpose of the law, and we should not permit the Army or any other branch of the Government to do anything that would defeat that purpose.

Mr. RAMSPECK. I agree with what the gentleman has said, but at the same time there are certain vocations and certain situations where I think the War Department needs this authority, and I am certainly not going to put my judgment up against the judgment of Secretary Stimson and Assistant Secretary Patterson when they say they need this legislation to speed up national defense.

Mr. RICH. Is it going to be their purpose to try to give overtime pay to employees rather than to take men who have not jobs now and put them in these places, if they can do so?

Mr. RAMSPECK. I cannot speak for them, but I would certainly believe they would employ new people wherever they could and avoid the overtime, because the overtime costs more, of course, than straight time, and I am quite sure that is what they will do.

Mr. RICH. Can the gentleman assure us that that is what they are going to do? We cannot assume that these Government heads are going to do anything because they have done so many things in the last 7 or 8 years that they should not



have done, and the only way to stop it is to make sure that such action is not taken in legislation of this sort.

Mr. RAMSPECK. Of course, the gentleman from Pennsylvania knows that I cannot speak for the Secretary of War or the Assistant Secretary of War, but we have given this authority to the Secretary of the Navy and as to some employees they now have overtime in the War Department. We passed the act of July 2, 1940, Public, No. 703, applying to laborers and mechanics employed by the War Department, giving this authority as to those employees, and section 23 of title II of the act of March 28, 1934, applies to several trades and occupations which gives the War Department this authority.

Mr. RICH. Let me ask the gentleman this question. If we do not pass this legislation, will the Secretary have to go out and get other men to do this work?

Mr. RAMSPECK. I think there are some categories covered by this legislation where you cannot get additional men because there is a scarcity in these positions.

Mr. RICH. I can appreciate that because the same thing applies in industry.

Mr. RAMSPECK. Yes.

Mr. RICH. But we have put the screws on industry and we tell them they have got to do certain things, and now we ought to put the screws on some of these departments and make them realize that some of the legislation we have passed ought to be made a little more flexible, and if the men over in the Senate had passed the bill to give the National Labor Relations Board some powers that were granted in the House bill, rather than the legislation that was first passed, we would be a whole lot better off in this country.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. If consent is granted for the consideration of this bill, will the gentleman take a few moments of time to explain the measure to the Members of the House?

Mr. RAMSPECK. I will be glad to read the explanation that the Secretary of War and the Assistant Secretary of War have made.

Mr. MICHENER. Mr. Speaker, reserving the right to object, is it the purpose of this bill to synchronize the law so that it fits the Wages and Hours Act?

Mr. RAMSPECK. No; that has nothing to do with it so far as I know. My understanding is that the War Department finds itself in this situation: They have authority now to pay overtime for some employees in the arsenals and in the Panama Canal. There are other employees whom they cannot work overtime. Therefore it makes a bad administrative situation. It is bad for the morale and it is impeding the progress of our national defense.

The bill was introduced in the House by the gentleman from Massachusetts [Mr. CLASON]. We took up the Senate bill because it passed the Senate before we acted on the House bill. There is nothing partisan about it. It is recommended by the Secretary of War and the Assistant Secretary. It is a matter of national defense, and that is the only reason I am asking to take it up now.

Mr. HOFFMAN. Will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. HOFFMAN. Will you tell us whether this bill will make national defense cost more than it would otherwise?

Mr. RAMSPECK. Of course, if they pay overtime it will cost more money, but it will expedite our defense plans.

Mr. HOFFMAN. I put in the RECORD the other day some letters which show that at Fort Custer they charged all the way from \$25 for common labor to \$45 for membership in these organizations which are doing the work. I would like to know the gentleman's idea on the logic of the thing—paying these men who are working on this job overtime and then limiting the jobs to those who will pay for the privilege of working—and some men cannot pay.

Mr. RAMSPECK. Of course, I cannot go into a discussion now of some other matter that involves a different ques-

tion entirely. As far as I know, the United States Government has never limited its employment to people who belong to any particular organization.

Mr. HOFFMAN. You say it has not?

Mr. RAMSPECK. So far as I know, it has not.

Mr. HOFFMAN. Well, that is not my understanding. Now, you want to pay overtime to these men who are working on these jobs. That will not help those men any if those who have control of the employment boost the fee for the privilege of working on the job. What you give them here they will take away from them by special assessment or in fees for membership.

Mr. RAMSPECK. Of course, I do not know of any such situation in the Government service as the gentleman has referred to.

Mr. HOFFMAN. Well, I put it in the RECORD the other day.

Mr. RAMSPECK. I have not read it.

Mr. HOFFMAN. I know, but it is in there just the same. It is a fact that there is plenty of this grafting all over the country.

Mr. RAMSPECK. The gentleman ought to be willing to trust the Secretary of War and the Assistant Secretary of War not to engage in any such bad practice as he has indicated.

Mr. HOFFMAN. No. But you do not have any idea I would get anywhere with that?

Mr. RAMSPECK. Well, they came from the gentleman's own party.

Mr. HOFFMAN. No; they are backsliders, forgotten their religion—political, at least. But if I come back and some of the conservative Democrats are back here I will discuss it right away next session after election and if the election goes the way I hope it will we will surely get some action.

Mr. NICHOLS. Will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. NICHOLS. This does not blanket anyone in under the civil service, does it?

Mr. RAMSPECK. No. This has nothing to do with civil service.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. RAMSPECK. I yield.

Mrs. ROGERS of Massachusetts. This is a much needed measure, as I understand, in the national defense?

Mr. RAMSPECK. That is my information.

Mrs. ROGERS of Massachusetts. We do not have enough trained workers and they wish to make some such arrangement?

Mr. RAMSPECK. That is my information from the Secretary of War and the Assistant Secretary of War.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That notwithstanding the provisions of any other law, compensation for employment in excess of 40 hours in any administrative workweek computed at a rate not less than 1½ times the regular rate is hereby authorized to be paid at such places and to such monthly, per diem, hourly, and piece-work employees of the field services of the War Department and the field services of the Panama Canal whose wages are set by wage boards or other wage-fixing authorities, and also to professional and sub-professional employees, and to blueprinters, photostat and rotaprint operators, inspectors, storekeepers, toolkeepers, and shop superintendents of the CAF service, as defined by the Classification Act of March 4, 1923 (42 Stat. 1488; 5 U. S. C., ch. 13, as amended, as shall be designated from time to time by the Secretary of War or the Governor of the Panama Canal, as the case may be, and the Secretary of War and the Governor of the Panama Canal are authorized to prescribe for their respective services, regulations for overtime employment for said employees or any of them: *Provided,* That in determining the overtime compensation of the foregoing per annum Government employees the pay for 1 day shall be considered to be one three-hundred-and-sixtieth of their respective per annum salaries.

SEC. 2. The provisions of this act shall be effective during the national emergency declared by the President on September 8, 1939, to exist, and shall terminate June 30, 1942, unless the Congress shall otherwise provide.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### SIUSLAW NATIONAL FOREST

Mr. DOXEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1433) to add certain lands to the Siuslaw National Forest in the State of Oregon.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to know something about this bill and what this is for?

Mr. DOXEY. I will be delighted to briefly tell the gentleman from Pennsylvania what this bill proposes. I assure him this is one bill that will not cost the Government anything. I think it is a bill that will economize for the Government. I base that on this statement: This involves about 78,000 acres of land in western Oregon. There are about 38,000 acres of this land that lies within the Siuslaw National Forest. About 38,000 acres are without the boundaries of this national forest. The title at the present time is in the Government. It was purchased under a resettlement project. This resettlement project has proven a failure for the reason that that land was adapted to timber raising and pasturage and other uses than farming uses. Now the Government has this land there and it is not being utilized and it is a fire hazard to the national forest contiguous thereto.

This is a Senate bill in which Senator McNARY is vitally interested. It was passed by the Senate and I am asking unanimous consent to pass it just as the Senate did.

All this bill does is to put this 78,000 acres of land under the jurisdiction of the Forest Service to manage and administer under the law of March 1, 1911, as they do other lands within the national forests.

Mr. RICH. Did the Public Lands Committee of the House consider this bill?

Mr. DOXEY. No. This came to the Committee on Agriculture. With all due deference to the gentleman from Pennsylvania, I may state that the Public Lands Committee considers bills authorizing the purchase of new lands to add to the national forests, but bills dealing with the administration of the forests come to the Committee on Agriculture for consideration. This bill was reported out unanimously.

Mr. RICH. Bills that deal with the public lands naturally ought to come from the Public Lands Committee. That is a function of the committee, it seems to me. It does not seem right that we should now, by unanimous consent, permit a bill to take over 78,000 acres of land and put it into a national park.

Mr. DOXEY. This is not to be placed in any national park. It is quite evident the gentleman from Pennsylvania does not know the difference between a national park and a national forest.

Mr. RICH. It is one of the Federal Housing projects, at least.

Mr. DOXEY. No.

Mr. RICH. The gentleman said that the 78,000 acres was in one of them.

Mr. DOXEY. In a resettlement area; yes.

Mr. RICH. They made a failure of them. Now you want to put it in under the Forest Service. If you can tell me how you can put this under the Forest Service and the Forest Service not spend any money on it, I wish the gentleman would. That is what always happens.

Mr. DOXEY. I do not care whether the gentleman objects or not; it is immaterial to me. I am trying to render a public service.

Mr. RICH. Then if the gentleman does not care whether I object or not, I object, Mr. Speaker, because I think the Public Lands Committee ought to act on this bill.

Mr. DOXEY. That suits me exactly. It is Senator McNary's bill. Object if you want to.

The SPEAKER. Objection is heard.

#### THE PRIVATE CALENDAR

The SPEAKER. If there is no objection, the Clerk will call the individual bills on the Private Calendar. The Chair understands there are only a few of them.

There was no objection.

#### EXTENSION OF REMARKS

The SPEAKER. The Chair will entertain requests from Members at this juncture to extend their remarks.

Mr. COLE of Maryland asked and was given permission to revise and extend his own remarks.

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to extend the remarks which I made today with reference to the bill which was just passed, S. 4338, and to include therein a short official letter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD on two subjects.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short newspaper article.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WARD. Mr. Speaker, this morning I was graciously granted unanimous consent to extend my own remarks. I now ask unanimous consent to include in those remarks excerpts taken from various speeches of the President as to the administration's policy.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### LEAVE OF ABSENCE WITHDRAWN

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to withdraw the 22-day leave of absence previously granted me this morning.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### EXTENSION OF REMARKS

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that I may be permitted to extend my own remarks in the CONGRESSIONAL RECORD during the next 30 calendar days on 3 subjects: First, the subject of health; second, the subject of the situation in the Third Congressional District in Minnesota and in the State of Minnesota; and third, the Townsend plan; and that I be permitted to include certain letters, statistics, and statements therein.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TINKHAM. Mr. Speaker, with unanimous consent, I desire to extend my remarks in the RECORD by including therein an article in relation to the Supreme Court by David Lawrence.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TINKHAM. Mr. Speaker, with unanimous consent, I desire to extend my own remarks in the RECORD by including an article in relation to the constitutionality of the destroyer deal.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TINKHAM. With unanimous consent, Mr. Speaker, I desire to extend in the RECORD an article by the Associated Press in relation to the United States and Great Britain in alliance in the East.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MURDOCK of Utah. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.



## GENERAL AUTHORITY FOR EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that all Members of the House, notwithstanding any adjournment or recess of the House, may have the privilege for 30 calendar days to revise and extend their own remarks in the CONGRESSIONAL RECORD on more than one subject, if they so desire, and may also include therein such short quotations as may be necessary to explain or complete such extensions of remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

Mr. CHURCH. Mr. Speaker, reserving the right to object, I hope the gentleman will include the same proviso that the Speaker, then majority leader, a year ago was willing to add at the end when a similar resolution passed unanimously a year ago. Mr. Speaker, that is the proviso that quotations from reports of committees of Congress shall be from such reports only as have been submitted officially and printed as documents by order of the House, by law, or pursuant to the rules of the House.

Mr. McCORMACK. That is agreeable to me. I will incorporate that as part of my request.

Mr. RICH. Mr. Speaker, reserving the right to object, we are going to leave now until after election. Is this going to be an opportunity for the Members to make political speeches, shoot them in here to the CONGRESSIONAL RECORD, then have them printed by the thousands and franked out to the public as political propaganda? Is that the idea of a unanimous-consent request of this kind?

Mr. McCORMACK. Of course, I cannot answer that question. That is a matter up to the Members' own conscience. I saw only the other night a speech that was sent around the congressional district of a gentleman from Maryland where some remarks were made by a Republican Member of the House from Kansas attacking the Member from Maryland. There were a number of thousands of those speeches sent into that Member's district. Of course, whether that should be done is in the conscience of each individual Member.

Mr. RICH. I do not think it should be done.

Mr. McCORMACK. I agree with the gentleman.

Mr. RICH. I hope the membership of the House will confine themselves to good, sound American business and things that pertain to the Government. I do not think a lot of this hokum stuff that has been put into the RECORD ought to go in.

Mr. McCORMACK. I agree with the gentleman, but who has control over that but the Member's own conscience?

Mr. COLE of Maryland. Mr. Speaker, reserving the right to object, may I say to the gentleman that the criticism which went into Maryland about a certain Representative from Maryland has helped him, and if that type is coming from the other side of the aisle, I hope more will be forthcoming.

Mr. RICH. If the gentleman thinks the Members on this side are the ones who are throwing the mud in the RECORD, may I say there is a lot of stuff that has gone in from that side of the House that nobody will approve.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

## CORRECTION OF JOURNAL

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to correct the RECORD on roll call 54, this session, in which the RECORD states I was absent. I was present at this roll call and answered "present," and I ask that the RECORD and Journal be changed to correspond to the facts.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to correct the RECORD with reference to roll call No. 120 on July 5, 1939. I am marked absent. I was present and voted "present."

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

## ANNOUNCEMENT

Mr. ANGELL. Mr. Speaker, on roll call No. 10, on February 3, 1939, which appears in the permanent edition of the CONGRESSIONAL RECORD at page 1128, I am recorded as not voting, but as having a general pair with my colleague from Ohio, Mr. SWEENEY. Had I been present I would have voted "aye," as I have supported the Dies committee throughout my service in the Congress, and roll call No. 10 was with reference to an extension of this special committee to investigate un-American activities and propaganda. The reason I did not vote on this roll call was that I was with the Rivers and Harbors Committee, of which I am a member, on an inspection of a proposed Government project in Florida, coming under the jurisdiction of the Rivers and Harbors Committee.

## EXTENSION OF REMARKS

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in two different particulars in the RECORD, and to include certain newspaper articles.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota [Mr. MUNDT]?

There was no objection.

## PRIVATE CALENDAR

The SPEAKER. The Clerk will call the first bill on the Private Calendar.

## CHARLES R. WOODS

The Clerk called the first bill on the Private Calendar, (H. R. 5047) for the relief of Charles R. Woods.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles R. Wood, formerly a first lieutenant in Company A, Twenty-first Regiment United States Engineers, the sum of \$288.78, in full and final settlement of all claims against the United States for loss of personal property in a fire which occurred at Camp Gerard, Sas, France, on March 10, 1918.

With the following committee amendments:

Page 1, line 5, strike out "Wood" and insert "Woods."  
Page 1, line 10, after "1918", insert a colon and the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Charles R. Woods."

## ESTATE OF FRANK H. LUSSE, DECEASED

The Clerk called the next bill, H. R. 8679, for the relief of Frank H. Lusse, deceased, of Frankfort, Ky.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill S. 3489 may be substituted for the House bill.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. COSTELLO]?

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States be, and he hereby is, authorized and directed to allow credit in the accounts of Lt. Col. Frank H. Lusse, formerly of the Kentucky National Guard, in the sum of \$4,749, representing payments made by him incident to the appointment of George (Richard) James, as caretaker, employed under section 90 of the National Defense Act, as amended (U. S. C., title 32 (Supp.), sec. 42), during the period January 1, 1927, to April 30, 1932, to the extent the payments are otherwise correct, where the services have been performed and the United States has received the full benefits of the payments, not-

withstanding the services were actually performed by another than the person appointed.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 8679) was laid on the table.

CHARLES S. LADINSKY AND MOE KANNER

The Clerk called the next bill, H. R. 10285, for the relief of Charles S. Ladinsky and Moe Kanner.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles S. Ladinsky and Moe Kanner, both of St. Louis, Mo., the sum of \$3,000. The payment of such sum represents reimbursement for the loss sustained by the said Charles S. Ladinsky and Moe Kanner on account of the forfeiture to the United States of a bail bond conditioned upon the appearance in court of one John A. Rosenfeld. Said bond was declared forfeited and judgment thereon against the said Charles S. Ladinsky and Moe Kanner in the full penal sum of \$3,000 was made and entered by the United States Circuit Court of Appeals for the Eighth Judicial Circuit on February 26, 1940, and the amount of the bond was paid by the said Charles S. Ladinsky and Moe Kanner to the United States on July 31, 1940. Through the efforts of, and at considerable expense to, the said Charles S. Ladinsky and Moe Kanner, the said John A. Rosenfeld was apprehended on March 1, 1939, and on March 6, 1939, was sentenced to serve 4 years in the Federal penitentiary.

With the following committee amendments:

Page 1, line 7, strike out "\$3,000" and insert "\$2,500."

Line 7, after "sum", strike out "represents reimbursement for the" and insert "shall be in full settlement of all claims against the United States growing out of."

Page 2, beginning in line 2, insert the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000"; and strike out the remainder of the bill.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOU DAVIS

The Clerk called the next bill, H. R. 8665, to provide for the issuance of a license to practice chiropractic in the District of Columbia to Lou Davis.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commission on Licensure to Practice the Healing Art in the District of Columbia is authorized and directed to issue a license to practice chiropractic in the District of Columbia to Lou Davis in accordance with the provisions of the act of Congress entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia", approved February 27, 1929, and on condition that the said Lou Davis shall be found by said Commission to be otherwise qualified to practice under the provisions of said act.

Mr. CASE of South Dakota. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: Page 1, line 6, strike out "and directed."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALOMON GEORGE KAUFMANN, HIS WIFE, DORIS KAUFMANN, AND THEIR CHILD, JOHN MICHAEL PETER KAUFMANN

The Clerk called the next bill, H. R. 10243, for the relief of Salomon George Kaufmann, his wife, Doris Kaufmann, and their child, John Michael Peter Kaufmann.

Mr. BARDEN of North Carolina and Mr. CASE of South Dakota objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

GERALD M. POLLACK

The Clerk called the next bill, H. R. 10389, for the relief of Gerald M. Pollack.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That for the purposes of the immigration and naturalization laws Gerald M. Pollack, Roxbury, Mass., shall be considered to have been lawfully admitted at Newport, Vt., on July 4, 1932, to the United States for permanent residence. Upon the enactment of this act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the nonpreference category of the quota during the current quota year.

With the following committee amendment:

Page 1, line 7, after "residence", strike out the remainder of the bill.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELLIOTT L. HOVEL

The Clerk called the next bill, S. 3493, for the relief of Elliott L. Hovel.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elliott L. Hovel, the sum of \$173.29, in full settlement of all claims against the United States for damages sustained as a result of an accident in which his car was struck by an Army truck being driven in a reckless manner: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, after "Hovel", insert "of San Antonio, Tex."

Line 8, after "accident", insert "on June 16, 1937."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY MADELINE ZWALINSKI

The Clerk called the next bill, H. R. 10110, for the relief of Mary Madeline Zwalinski.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary Madeline Zwalinski, of Ranshaw, Pa., the sum of \$10,000, in full settlement of all claims against the United States for damages to her and her minor daughter, as the result of the death of her husband, caused by being struck by a rock blown from blasting operations of a Work Projects Administration project on the highway running between Shamokin and Kulpmont, Pa., on March 23, 1940: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 6, after "of", strike out "Ranshaw" and insert "Shamokin."

Line 7, strike out "\$10,000" and insert "\$3,024.70, and to the legal guardian of Ilene Mary Zwalinski, a minor, of Shamokin, Pa., the sum of \$2,500."

Line 10, strike out "her and her minor daughter" and insert "the said Mary Madeline Zwalinski and Ilene Mary Zwalinski."

Page 2, line 1, strike out "her husband" and insert "John Zwalinski, husband of Mary Madeline Zwalinski, and father of Ilene Mary Zwalinski."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Mary Madeline Zwalinski and Ilene Mary Zwalinski, a minor."



## LILLIAN ETHEL FLEXEN AND OTHERS

The Clerk called the next bill, H. R. 10330, for the relief of Lillian Ethel Flexen and children, Beatrice Mabel Flexen, Elizabeth Amy Flexen, and Edward Oscar Flexen.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That notwithstanding the provisions of the immigration laws, the Attorney General be, and he is hereby, authorized and directed to permit Lillian Ethel Flexen and children, Beatrice Mabel Flexen, Elizabeth Amy Flexen, and Edward Oscar Flexen, the wife and children of a citizen of the United States, to remain permanently in the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## KAREL LEDERER

The Clerk called the next bill, H. R. 10282, for the relief of Karel Lederer.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of the immigration and naturalization laws the Attorney General be, and he is hereby, authorized and directed to record the lawful admission for permanent residence of Karel Lederer, a citizen of the Czechoslovak Republic, born in Austria, as of February 2, 1939, the date on which he was last admitted temporarily to the United States. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the German quota of the first year that the said German quota is available.

Mr. CASE of South Dakota. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: Page 1, line 9, after "United States", strike out the period and insert a colon and the following proviso: "Provided, That he is found to be otherwise admissible under the provisions of the immigration laws other than those relating to quotas."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## NAVAJO INDIANS

The Clerk called the next bill, S. 4212, for the relief of certain Navajo Indians, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to the Secretary of the Interior the sum of \$15,000, which amount shall be deposited as individual Indian money to the credit of the estates of the following-named deceased Navajo Indians, and in the respective amounts stated for distribution to the heirs of such deceased Indians as determined by the Secretary of the Interior in accordance with existing law: Wilson Platero, \$2,500; Meguelius Sacatero, \$2,500; Tom Wood, \$2,500; John Apachite, \$2,500; Roy Chavez, \$2,500; and John Chavez, \$2,500.

Sec. 2. The Secretary of the Treasury is also authorized and directed to pay to the Secretary of the Interior the sum of \$2,000, which amount shall be deposited as individual Indian money to the credit of Dempsey Sacatero and Jose Mexicano, or their heirs, in the sum of \$1,000 each.

Sec. 3. The amounts herein appropriated shall be in full compensation for claims for deaths or injuries sustained in an accident occurring near Gallup, N. Mex., on December 6, 1936: *Provided,* That the amounts herein appropriated shall be expended in accordance with the regulations governing the handling of individual Indian money: *Provided further,* That no part of the amount herein appropriated shall be paid to or received by any agent or attorney on account of services rendered in connection with these claims, and any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## DR. PETER FLOREY

The Clerk called the next bill, H. R. 10418, to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Peter Florey.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commissioner on Licensure to Practice the Healing Art in the

District of Columbia is authorized and directed to issue a license to practice the healing art in the District of Columbia to Dr. Peter Florey, Washington, D. C., in accordance with the provisions of the first paragraph of section 24 of the Healing Arts Practice Act, District of Columbia, 1928.

Mr. CASE of South Dakota. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: Page 1, line 6, strike out "and directed."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## CHARLES B. PAYNE

The Clerk called the next bill, S. 217, for the relief of Charles B. Payne.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles B. Payne, of San Felipe, N. Mex., the sum of \$1,000 in full satisfaction of all claims against the United States resulting from injuries sustained by James Wallace Payne, minor son of said Charles B. Payne, as a result of an attack made upon said James Wallace Payne on September 20, 1934, by Pedro Velasquez, an insane Indian then living on the San Felipe Pueblo Reservation: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## WIDOWS OF THE LATE GEORGE A. MEFFAN AND JOHN GLENN

The Clerk called the next bill, S. 4249, for the relief of the widows of the late George A. Meffan and John Glenn.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the widow of George A. Meffan, late a United States marshal for the State of Idaho, and to the widow of John Glenn, late a United States deputy marshal for the State of Idaho, the sum of \$5,000 each, on account of the death of their husbands who were killed on July 31, 1940, in the State of Idaho, while in the performance of their duty: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## I. M. COOK, J. J. ALLEN, AND THE RADIATOR SPECIALTY CO.

The Clerk called the next bill, S. 4250, conferring jurisdiction upon the United States District Court for the Western District of North Carolina to hear, determine, and render judgments upon the claims against the United States of I. M. Cook, J. J. Allen, and the Radiator Specialty Co.

Mr. REES of Kansas and Mr. COSTELLO objected; and under the rule, the bill was recommitted to the Committee on Claims.

## THEODORE R. TROENDLE

The Clerk called the next bill, S. 4360, to confer jurisdiction upon the United States District Court for the Western District of Kentucky to hear, determine, and render judgment upon the claim of Theodore R. Troendle, sole stockholder of the Dawson Springs Construction Co.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That Theodore R. Troendle, the sole owner of the capital stock of the Dawson Springs Construction Co., a Delaware corporation, which heretofore forfeited its charter, is hereby authorized to bring suit or suits as he may respectfully

desire to so do against the United States of America, to recover damages, if any, for loss or losses suffered or sustained by said Dawson Springs Construction Co., by reason of any breach on the part of the United States of a contract dated February 22, 1920, or any modification thereof, for the construction of eight buildings for the United States Public Health Service Sanatorium at Dawson Springs, Ky. Jurisdiction is hereby conferred upon the District Court of the United States for the Western District of Kentucky to hear, consider, determine, and render judgment for the respective amounts of such damages, if any, in favor of said Theodore R. Troendle, as may be found to have been sustained or suffered by the said Dawson Springs Construction Co., with the same right of appeal as in other cases and notwithstanding any lapse of time or statute of limitations and notwithstanding the provisions of section 3477 of the Revised Statutes: *Provided*, That such action will be brought within 1 year from the date this act shall become effective.

With the following committee amendments:

Page 1, line 3, after word "Troendle", insert the word "as."  
Page 1, line 8, after the word "for", insert the word "alleged."  
Page 2, line 2, after the word "breach", insert the language "which may be found."  
Page 2, line 3, strike out the figures "22", insert in lieu thereof the figure "2."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

T. G. RAMSEY

The Clerk called the next bill, H. R. 7965, for the relief of T. G. Ramsey.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to T. G. Ramsey, of Roxie, Miss., the sum of \$500, in full settlement and satisfaction for all damages sustained by him on account of personal injuries received by him on September 25, 1939, when the car in which he was riding collided with a Government truck owned by the Civilian Conservation Corps and driven by an employee of Camp F-26, Meadville, Miss., said collision being entirely the fault of the driver of the Government truck: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Strike out all after the enacting clause and insert:  
"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$500 to Mr. T. G. Ramsey, of Roxie, Miss., and the sum of \$2,000 to Mrs. T. G. Ramsey, of Roxie, Miss., in full settlement of all claims against the United States for damages sustained by them on September 25, 1939, when the truck in which they were riding was struck by a Government truck operated in connection with the Civilian Conservation Corps and driven by an employee of Camp F-26, Meadville, Miss.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Mr. and Mrs. T. G. Ramsey."

THE GDYNIA AMERICA LINE, INC.

The Clerk called the next bill, H. R. 8224, for the relief of the Gdynia America Line, Inc., of New York City, N. Y.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Gdynia America Line, Inc., of New York City, N. Y., the sum of \$2,520, in full payment for duplicate revenue stamps required to be attached to the manifests of the motorship *Batory* belonging to said corporation, the original revenue stamps having been lost or destroyed: *Provided*, That the Secretary of the Treasury shall require the said corporation to give a bond to the United States in the amount

of \$2,520 to indemnify the Government in the event said original revenue stamps are recovered or used, such bond to be in such form, to contain such terms and conditions, and to run for such period of time as the Secretary of the Treasury shall prescribe: *Provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 7, strike out the word "payment" and insert "settlement of all claims against the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDITH PLATT

The Clerk called the next bill, H. R. 8343, for the relief of Edith Platt.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edith Platt, Fort Crook, Nebr., the sum of \$1,000. The payment of such sum shall be in full settlement of all claims against the United States by the said Edith Platt on account of personal injuries sustained by her when the automobile in which she was riding collided with a truck in the service of the Works Progress Administration on March 31, 1939, on Federal Highway No. 75, near Fort Crook, Nebr.

With the following committee amendments:

Line 6, strike out the sign and figures "\$1,000" and insert in lieu thereof "\$750."

Lines 8 and 9, strike out the words "personal injuries" and insert in lieu thereof the word "damages."

At the end of the bill add the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DAISY FITZPATRICK

The Clerk called the next bill, H. R. 8810, for the relief of Daisy Fitzpatrick.

There being no objection, the Clerk read the bill as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Daisy Fitzpatrick, Papillion, Nebr., the sum of \$2,000. The payment of such sum shall be in full settlement of all claims against the United States by the said Daisy Fitzpatrick on account of personal injuries sustained by her when the automobile in which she was riding collided with a truck in the service of the Works Progress Administration on March 31, 1939, on Federal Highway No. 75, near Fort Crook, Nebr.

With the following committee amendments:

Line 6, strike out the sign and figures "\$2,000" and insert in lieu thereof "\$1,500."

Line 9, strike out the words "personal injuries" and insert in lieu thereof the word "damages."

At the end of the bill add the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That completes the bills eligible for call on the Private Calendar.



## PERMISSION TO ADDRESS THE HOUSE

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to address the House and for permission to revise and extend my remarks and to include therein certain clippings.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CONNERY. Mr. Speaker, on September 23, 1940, a member of the National Defense Advisory Commission, Miss Harriet Elliott, Consumer Commissioner, issued a statement of policy from the consumer's point of view as to an absolute essential consideration in the present defense program.

Her statement may well be summarized by two sentences out of the release to newspapers: First, "Hungry, undernourished people do not make for strong defense;" second, "Let us make America strong by making Americans stronger."

Mr. Speaker, in view of the above, one of the major achievements of the past 8 years has been the acceptance of a minimum-wage policy to establish a "floor" under wages and a "ceiling" over hours. The Fair Labor Standards Act of 1938 was the instrument through which this body expressed its approval of that principle. I was and am a strong advocate of that statute. I am very eager that that principle of the minimum wage be given every opportunity to succeed as an effective legislative policy in this country. I have urged and voted for adequate appropriations. I strove to prevent the weakening of the statute when many so-called friends of labor sought by every means possible to weaken its provisions or prevent their becoming a reality by adequate full enforcement.

Last fall, when Colonel Fleming was appointed Administrator of the Wage and Hour Division, I stated that I was opposed to the appointment of military men to important administrative positions because of the fact that invariably they lack experience in and knowledge of the duties they are called upon to carry out. I said at that time:

It seems to me that such executive positions call for someone with experience in dealing with labor relations, not for military disciplinarians.

Mr. Speaker, this week marks 1 full year of Colonel Fleming's administration of the Fair Labor Standards Act. Under that administration the number of complaints on hand has increased from 24,500 to approximately 64,000. The number of establishments against which complaints have been made has risen from 18,700 to over 46,000. The number of complaints obviously requiring inspection has increased from 12,000 to approximately 36,000.

Yet, in spite of this tremendous increase of unfinished business, Colonel Fleming, instead of increasing his staff adequately to handle this increased volume of business, returned to the Treasury on last July 1 the unexpended sum of \$387,000 after almost a full year as Administrator of the Wage and Hour Division.

I think it would not be unfair to say that his whole approach to the problems presented by the figures cited above has been, first, to exempt the firms complained against from the provisions of the statute, in some cases even against the obviously stated congressional intent; and, secondly, to develop a quick administrative procedure for closing a case without regard to a proper evaluation of the facts in the given case which otherwise would result in actions leading to a proper enforcement of the statute.

I am sorry to have to say that these steps have been taken, even granting that officials of the Wage and Hour Division at the same time have expressed publicly what I believe is now the generally accepted viewpoint that the wage-hour law was long overdue and should be fully and adequately enforced.

The speeches have been impressive. Their actions prove to the hilt the accuracy of my statements a year ago. I have in my hand a number of newspaper clippings which have appeared in the press throughout the country which indicate the growing alarm of organized labor and industry at the inadequacies of the present policies of the Wage and Hour Administration. These items prove that this problem is a real one, which requires immediate attention.

The drive to exempt hundreds of thousands of workers who need the protection "to make America strong by making Americans stronger," those in the lowest wage levels, is given momentum every day. Almost daily the Wage and Hour Division issues a release exempting additional thousands from one or another provisions of the act. The business world is very much concerned. The present competitive advantage of the unscrupulous employers over the virtuous employers will show with telling effect upon the ledgers and business statements which will be compiled in a few weeks now that the business year approaches its end.

The less virtuous segments of the business world may well rejoice. A business magazine item recently stated

The Wage Hour Division has no authority to grant exemptions from the hourly provisions of the law, but \* \* \*

The article continues with a description of how it is now possible under the new regulations, issued recently to violate the hours provisions of the Fair Labor Standards Act. Last week our esteemed colleague, the gentleman from Washington [Mr. COFFEE], charged on this floor that something is amiss in the administration of the Fair Labor Standards Act, and expressed the view that organized labor should be consulted before any changes are made in the administration of labor laws. The experience of European countries should not be lost to us. It would be well to contrast the plight of those European countries which curtailed labor's powers and fell under Hitler's heel with the situation in England where labor having been taken into consultation the latter country now shows itself capable of resisting the most terrific onslaught of that barbarian who is leading Europe to destruction.

Yet, in this pro-labor administration the leaders of several of our largest and most respectable labor organizations have been refused, I am told, an opportunity to discuss the details of this developing situation with either of the two highest ranking government officials charged with the administration of labor laws of this country. I am informed by some representatives of organized labor that neither Secretary of Labor Perkins nor Sidney Hillman, labor member of the Advisory Commission to the Council of National Defense, have been ready to discuss with them the effect of this emasculation of the original intent and purpose of the Fair Labor Standards Act of 1938.

Mr. Speaker, I am earnest in my desire that the enemies of organized labor be prevented from creating in this country a like situation to that which resulted in the down-fall and collapse of France. I am firmly convinced that the first step toward a collapse would be in the break-down of the wage and hour standards which were established to protect those of our population who have been ill-fed, ill-clothed, and ill-housed because they have been greatly underpaid for long hours of work.

The following clippings have a direct bearing on the situation:

[Release from National Defense Advisory Commission, Monday morning, September 23, 1940]

A call for concerted action to make America strong by wiping out undernourishment and malnutrition has been issued today by Miss Harriet Elliott, consumer commissioner on the National Defense Advisory Commission, in a special issue of Consumers' Guide, publication of the Consumers' Counsel Division of the United States Department of Agriculture.

"Forty-five million of us are living below the safety line right now because we are not getting the kinds and amounts of food necessary for strength and health. Hungry, undernourished people do not make for strong defense. We have the lands, machines, and hands it takes to produce and move and market all the food we need to assure everyone an adequate and safe diet. Let's get to work to see that everyone gets at least that," Miss Elliott said. "Let's make America strong by making Americans stronger."

Miss Elliott suggests eight different ways in which groups and individuals can work to insure better diets for everyone:

- "(1) Get a municipal radio market news service started so household buyers will know what foods are good buys and cheap each day;
- "(2) Start a school-lunch program and see that every school child has at least one well-balanced and adequate meal each day;
- "(3) Work for low-cost ways of selling milk and fruits and vegetables so that low-income families can buy a greater abundance of these protective foods;

"(4) Set up diet clinics where families can bring their food-buying problems and talk them over with experts in nutrition and consumer buying;

"(5) Support the food stamp plan now operating in 150 cities;

"(6) Learn, if you have the land, how to grow the foods you cannot buy, preserve the foods you cannot immediately use, and plan for balanced meals throughout the year;

"(7) Urge merchants to sell Government-graded foods, and urge consumers to buy by grade so they will get the quality they want for the money they have to spend;

"(8) Know what your local, State, and National Governments are doing to help get safe meals to more people."

Copies of this special issue of Consumers' Guide, in addition to going to regular subscribers, will be distributed through national civic and consumer organizations. Miss Elliott has been assured of their desire to cooperate actively in a program designed to raise nutritional levels and promote physical fitness throughout the country. Counseling her in the development of that program are experts in various branches of the Federal Government, under the chairmanship of Dr. M. L. Wilson, Director of the Extension Service of the Department of Agriculture.

[From the Washington Post of October 14, 1940]

**WAGE-HOUR RULE CUTS OFF OVERTIME PAY OF THOUSANDS—DECISION APPLIES TO \$200-A-MONTH WORKERS WHO HAVE DISCRETIONARY POWER**

(By William V. Nessler, Post staff writer)

In a ruling affecting "almost all establishments in interstate commerce," the Wage and Hour Administration yesterday revised some of its definitions of white-collar workers, exempting numerous workers from the hour provisions of the labor-standards law.

[From Newsweek for October 14, 1940]

#### WAGE-HOUR WORRIES

Expect soon to hear loud squawks about nonenforcement of the wage-hour law. Some union representatives are already circulating well-documented confidential memos. These claim that Administrator Fleming is investigating and settling many insignificant complaints so he can say: "We are settling so many cases a week," but is dodging major cases involving failure to pay overtime to thousands of workers. The reports make many more specific charges of lackadaisical enforcement. If these preliminary complaints don't get results, union leaders will start howling publicly.

[From the St. Louis Post-Dispatch of August 30, 1940]

**STATE WAGE-HOUR CHIEF CLEARED OF UNION CHARGES—INQUIRY SHOWS EFFICIENT, SPEEDY WORK ON MISSOURI CASES, SAYS WASHINGTON OFFICE**

WASHINGTON, August 30.—Walter King, acting regional director of the Wage and Hour Administration in Missouri, has been cleared of charges made by trade-unions, Deputy Administrator Baird Snyder said yesterday.

Locals of the Amalgamated Clothing Workers and other unions in St. Louis and Kansas City charged that King had been too hasty and inefficient in investigating complaints of wage-hour enforcement of law in the Missouri area.

C. E. Lavign, a confidential investigator for the Wage and Hour Administration, recently completed a report on King, based on an investigation conducted in Missouri. This report showed, according to Snyder, that the Missouri region was first for the country in total number of wage-hour cases closed; first in production per man of any regional office, and the office was operated at the lowest cost per case.

#### THIRD IN WAGES PAID TO EMPLOYEES

The region stood third in the amount of money paid back to employees following action under the wage and hour law, according to the report. In this last respect only New York and Chicago, where cases involved large sums, were ahead of Missouri.

At the same time that Lavign conducted an investigation in the field, according to Snyder, all of the cases closed by the Kansas City office were reviewed here in Washington, and it was found that the union complaints were not substantiated. In other words, Snyder said, the complaints and the subsequent investigation served to reveal the excellent work being done in the Missouri area.

For some time there have been reports of administrative confusion and inefficiency in Missouri. A former director, Charles Hersun, was sent to Boston to take charge of the New England office, and King became acting regional director in Kansas City.

#### DENIES INTENTION TO MAKE CHANGE

While Snyder denied that there was any intention to replace King at this time, the Post-Dispatch learned from an authoritative source that several efforts have been made in recent weeks to find someone to take that office. Hersun, according to wage-hour officials, is only temporarily placed in Boston, but he will not be returned to Missouri.

Recently George Duemler, regional attorney in Missouri, was transferred to the Cleveland office because, it was reported, he had had differences over policy with King. Before becoming acting director, King had been supervising inspector in Missouri.

Officials here said that Duemler was transferred because there was comparatively little litigation in Kansas City and a great deal in Cleveland. Later on Duemler will probably be sent back to Kansas City, it was said. At the time of Duemler's appointment there was some opposition because he had been a Socialist and had run for mayor of St. Louis on the Socialist ticket.

[From the St. Louis Post-Dispatch of September 5, 1940]

**C. I. O. SHOE WORKERS ACCUSE MISSOURI WAGE ACT OFFICER—UNION TO PRESS LAX ENFORCEMENT CHARGES AGAINST WALTER KING—HERSUN ALSO ATTACKED**

WASHINGTON, September 5.—The United Shoe Workers of America, through union executives here, intend to press charges against officials of the Wage and Hour Administration allegedly lax in enforcing the law, it has been learned, with their demands aimed particularly at conditions in the St. Louis area.

Locals of the C. I. O. Shoe Workers' Union along with locals of the Amalgamated Clothing Workers, have recently charged Walter King, acting regional director in the Missouri area, with haste and inefficiency in investigating cases and general laxity in enforcement of the law. But immediate goal of the shoe workers is removal of Charles Hersun, until recently director in the St. Louis region.

Hersun is now in charge in New England and pressure is being brought to bear through the highly organized shoe industry in that area to bring about his removal.

"It is especially important," a union circular recently declared, "that unionized centers not suffer in the unfair advantage of competition from unorganized centers where the minimum is not enforced and that the United Shoe Workers, members and officials, take it upon themselves to determine the facts regarding violations throughout the industry, convey them where possible to wage-hour officials, and send this office the details so that we may keep a record of which divisions of inspectors are enforcing the act and which are merely building up good records."

It was one of the charges against King that he was merely seeking to build up a record of cases, regardless of outcome. Recently the Wage-Hour Administration here sent an investigator to Missouri who reported that King was doing excellent work.

Officials of the shoe workers' union say they are preparing to present the charges to Secretary of Labor Frances Perkins, who has supervision of wage-hour personnel under recent administrative changes.

[From the St. Louis Post-Dispatch of September 11, 1940]

**WAGE-HOUR STAFF "WHITEWASH" IN MISSOURI CHARGED—CLEARING OFFICIALS ON MALADMINISTRATION CHARGES SHOWS EFFORT TO HIDE FACTS, UNION MAN SAYS**

WASHINGTON, September 11.—Leo Goodman, research director of the United Shoe Workers, charged today that evidence of maladministration and inefficiency in the Wage and Hour Administration in Missouri had been "whitewashed" by officials here who recently announced that an investigation of union charges had completely cleared officials in the Missouri region.

"What kind of inspector could have been sent out to that area if he did not find the evidence which, it now is apparent, has become common knowledge in trade-union circles in Missouri?" Goodman said. "Any effort to conceal this unhealthy situation will merely result in a stronger and continued campaign to bring to light facts regarding the failure to enforce the Wage and Hour Act in that district."

Goodman particularly stressed that he was unimpressed with statistics showing large sums supposedly paid in restitution on the basis, he said, of calculations made solely by the employer. He said he had called on Secretary of Labor Frances Perkins for a thorough investigation of the whole region to determine why there is such "a strenuous effort to cover the facts."

Baird Snyder, Deputy Administrator, said last week that an investigation by C. E. Lavign, confidential investigator had completely cleared Walter King, acting regional director in Missouri, of all charges brought by trade-union groups.

[From the St. Louis Post-Dispatch of September 12, 1940]

**WAGE-HOUR OFFICIAL REPLIES TO "WHITEWASHING" CHARGES—J. F. KING SAYS LEO GOODMAN REFUSED TO DISCLOSE INSTANCES OF ALLEGED INEFFICIENCY**

Leo Goodman, research director of the United Shoe Workers, who charged at Washington yesterday that officials of the Wage and Hour Division in Missouri had been "whitewashed" by investigators, has refused to cooperate with Washington officials by revealing any instances of alleged maladministration or inefficiency, James F. King, assistant to Col. Philip B. Fleming, Wage and Hour Administrator, said today at the close of a 4-day investigation here.

King said that, in the absence of specific charges by Goodman, he had interviewed various Government and labor officers here seeking instances of lax administration, but had been unable to find any.

"The Division is undertaking to investigate thoroughly every case in the Missouri region about which there could possibly be any question of maladministration," King asserted. "The investigation is not complete and the Division would welcome the assistance of any person who has relevant information. Anyone with such information should send it directly to Colonel Fleming at Washington." King is not related to Walter W. King, acting regional director in Missouri, who has been named in charges by labor officers.



[From the St. Louis Star-Times of September 12, 1940]

**SAYS NEW QUIZ SHOWS NO PAY-HOUR PROTESTS**

James F. King, of Washington, assistant to Col. Philip B. Fleming, Wage and Hour Administrator, declared here today that an investigation which he is conducting has failed to bear out charges by Leo Goodman, research director of the C. I. O. United Shoe Workers, that maladministration and inefficiency have marked enforcement of the wage-hour law in the Missouri region.

King has been here since Monday making an inquiry independent of an earlier investigation by C. E. La Vigne, an investigator for the Wage and Hour Division. On the basis of La Vigne's report wage-hour officials in Washington announced 2 weeks ago that there was no basis for complaints against Walter King, acting regional director, with headquarters in Kansas City. Walter King and James F. King are not related.

[From PM, September 19, 1940]

**WAGE-HOUR DIVISION FACES LABOR ATTACK—UNIONS CHARGE ENFORCEMENT UNDER FLEMING IS LAX**

(By Kenneth Crawford, Staff Correspondent)

WASHINGTON, September 19.—The Wage and Hour Division of the Labor Department is again under fire from labor unions, and this time, unless all signs fail, they mean to blow its top personnel out of office.

Their campaign against the agency is being led by the United Shoe Workers and has been taken up by John L. Lewis and other C. I. O. leaders.

Ever since the appointment of Col. Philip Fleming as Administrator about a year ago, the Wage and Hour Division's enforcement efforts have been watched with growing skepticism by unions in the low-wage industries—particularly the United Shoe Workers. During this period Colonel Fleming has issued a succession of executive orders narrowing the application of the law by exemptions and amended definitions.

This watering-down process was accepted in good part by the unions at first on the theory that such modification was necessary to forestall complete mutilation of the wage-hour law by Congress.

But now the unions are up in arms about what they consider Colonel Fleming's failure to enforce the 35-cent wage minimum in unexempted industries, even though his staff has been enlarged and his appropriations increased. Under his enforcement policy, according to critics of the Administration, inspectors are encouraged to "make a showing, by concentrating on cursory inspections of minor complaints and passing up valid complaints against large industries."

Leo Goodman, research director of the United Shoe Workers, says that this speed-up system has virtually stopped enforcement in the shoe industry. He has complained specifically about the St. Louis region, where the new policy was first applied, but Colonel Fleming has insisted that enforcement in that district is satisfactory. Secretary of Labor Perkins also has defended the Division.

However, many of Colonel Fleming's former assistants have quit in the last few months in protest against what they consider a soft enforcement policy. And it is probable that John L. Lewis, who is again on the White House visiting list after an estrangement from the President, is talking about wage-hour enforcement among other things.

[From the Brockton Enterprise of September 21, 1940]

**ASK HERSUM BE TAKEN OFF WAGE-HOUR JOB**

WASHINGTON, September 21.—The removal of Charles R. Hersum, acting New England wage-hour director, has been asked of Wage-Hour Administrator Fleming by the United Shoe Workers of America, Leo Goodman, research director of the union, said today.

Mr. Goodman charges Mr. Hersum, formerly director of the Kansas City office, has been lax in enforcement, and that, in the present enforcement campaign, he has sacrificed real enforcement to a fast inspection record. Mr. Hersum is now conducting an enforcement campaign in New England, and recently announced an impressive number of plants inspected in the first 2 weeks of this month, with word the drive already had secured restitution of several thousand dollars in back wages.

Officials of the Wage and Hour Division said today the record of Mr. Hersum, both in Kansas City and in Boston offices, had been surveyed and approved.

It is understood officials of the United Shoe Workers, a C. I. O. affiliate, are especially critical of the Hersum record in Kansas City. This office covers St. Louis, where is located the International Shoe Co., which the union has long accused of unfair labor practices. The union has not yet made public specific charges against Mr. Hersum.

[From the Haverhill (Mass.) Gazette of September 25, 1940]

**WAGE BOARD PASSING BUCK, UNION MEN SAY—DISAPPOINTED WITH ENFORCEMENT OF LAW IN SHOE INDUSTRY**

WASHINGTON, D. C.—Just why the Wage and Hour Division round-up enforcement in the shoe industry is disappointing officials of the United Shoe Workers here and elsewhere was revealed today in the peculiar wording of a letter from the acting regional director for New England, Charles R. Hersum.

Union officials said the letter in itself shows the Wage and Hour Division in the act of passing the buck two ways, first by letting the

accused employers be the judge as to compliance and, second, by informing workers that they should get their relief from alleged underpay by suing the employers.

Here is the text of a letter sent to a worker who had asked for an investigation of violation of which he was a victim:

"Please be advised that no further action is being taken at this time regarding your complaint against the subject company, since they state that they have not violated the Fair Labor Standards Act of 1938.

"If you still feel that you have not been paid in accordance with the Wage and Hour Act, we call your attention to section 16 (b) of this act, a copy of which is enclosed, under which you may bring suit to recover any back pay that may be due you."

Union officials said that this letter does not even pretend that Mr. Hersum investigated the complaint other than to accept the employer's plea of not guilty. While the complainant is advised of his right to sue, the Division, union men say, leaves entirely unanswered the question as to whether Hersum will back the worker or the employer in such a suit.

This particular letter from Mr. Hersum follows directly after an announcement by Col. Philip B. Fleming, the Administrator, of a new plan for dealing with complaints. Upon receipt of the complaint, a form is sent to the employer in which he is asked questions as to compliance. This form, however, deals only with the statutory 25-cent wage from October 24, 1938, to October 24, 1939, and the 30-cent statutory wage effective since October 24, 1939, but does not make the same inquiry as to the administrative wage, which in the shoe industry has been 35 cents an hour since April 29 of this year.

Fleming explains that this form is effective in bringing pleas of guilty in cases where the questioning brings home that fact to an employer. Partly because of Hersum's attitude toward complaints and his failure, as in the letter quoted, to declare whether a direct investigation was made, the United Shoe Workers are asking for his removal as acting regional director in the important New England area.

The dissatisfaction spreads even further, and practically to the whole administration of the shoe industry. A similar situation has developed in other industries, some of which affect New England almost as much as the laxity in shoe-wage enforcement, and it was learned that John L. Lewis, head of the Congress of Industrial Organizations, is carrying this protest over the head of Colonel Fleming to the President himself.

This yes-or-no enforcement is bringing in some cases with restitution, but the union officials insist it is failing to get any result from the important chiselling fringe of the industry and to that extent is damaging to those complying employers who sell their product in competition with violators.

Now that jobs are not so hard to get, some of the wage and hour workers themselves, dissatisfied with results, are quitting the Administration, with unpleasant effect on the morale of the force, union men said.

[From Business Week of September 28, 1940]

**REGULATIONS MADE ELASTIC**

The Wage and Hour Division has no authority to grant exemptions from the hour provisions of the law, but by interpreting apprentice time spent in classrooms as nonworking time, the law's regulations have been made elastic enough to obviate the necessity for paying apprentices overtime wages. The average apprentice will spend over 150 hours a year in classroom work.

"Learnership," as differentiated from apprenticeship by the Wage and Hour Division, is a process requiring less than the 4,000 hours considered minimal in an apprentice-training program. Because the "learner occupations" are less skilled than the apprentice ones, wages are lower, and the Division is called upon much more frequently to grant exemptions. Out of an estimated 50,000 employers covered by the wage-hour law, about 2,000 have applied for and received permission to pay bona fide learners less than the 30 cents an hour required by statute.

[From the St. Louis Post-Dispatch of October 4, 1940]

**C. I. O. HEADS PRESS WAGE AND HOUR INQUIRY DEMAND—APPEALING TO MEMBERS OF CONGRESS FOR INVESTIGATION OF CHARGES MADE BY MISSOURI SHOE UNION**

WASHINGTON, October 4.—Backed by John L. Lewis, executives of C. I. O. unions have taken to Members of Congress a demand for an investigation of the Wage and Hour Administration.

This demand grows out of union charges of inefficiency and maladministration in the Missouri region. These charges were made originally by executives of the United Shoe Workers and the Amalgamated Clothing Workers in Missouri.

Investigators were sent to look into these charges, and Baird Snyder, Deputy Administrator of the Wage and Hour Administration, subsequently told the Post-Dispatch that they had for the most part been without foundation. Snyder cleared Charles Hersum, former director of the Missouri region and now in charge of New England, and Walter King, at present acting director in Missouri, of charges filed against them.

Officers of the United Shoe Workers called this report a "white-wash" and have been attempting ever since to force action higher. The investigator's report was called to the attention of Secretary of Labor Perkins who conferred with Col. Philip Fleming, Wage and Hour Administrator. Fleming told Miss Perkins he had studied the report and felt the matter was closed.

With Lewis' official backing, Leo Goodman, research director of the Shoe Workers' Union, and Gardner Jackson, executive secretary of Labor's Non-Partisan League, have appealed to Members of Senate and House Labor Committees for an investigation. They have told Senators and Congressmen that the law is not being enforced, although inspectors and directors are making a "paper record."

Lewis, it is understood, has called the matter to the attention of the White House.

A spokesman for the Wage and Hour Administration said that all the Missouri shoe cases handled by the Administration had been forwarded to Washington and that Goodman had been invited to go over these files and show from the files where inspection had been at fault. Goodman, according to the spokesman, replied that he was too busy to do this.

Informed of this statement, Goodman said he had received word concerning the Missouri files only 24 hours ago and that, of course, he expected to cooperate to the fullest in studying the files.

[From the St. Louis Post-Dispatch of October 5, 1940]

**C. I. O. CITES CHAFFEE CASE IN ATTACK ON WAGE-HOUR STAFF—DECISION ON COMPLAINTS AGAINST COLLINS-MORRIS SHOE CO. DELAYED YEAR AND HALF, UNION SAYS—FILE SHOWS LAG IN REPAYING WORKERS—ONLY \$5,000 OF \$25,000 SAID TO BE DUE EMPLOYEES IN "KICK BACK" CONTROVERSY REPORTED RETURNED**

(By Marquis W. Childs, staff correspondent of the Post-Dispatch)

WASHINGTON, October 5.—The United Shoe Workers, a C. I. O. union, is basing charges of inefficiency and maladministration in the Wage and Hour Administration in part on the delay in handling of complaints against the Collins-Morris Shoe Co. factory at Chaffee, Mo.

The file of the Collins-Morris Shoe Co. case was submitted to Leo Goodman, research director of the shoe workers, by Baird Snyder, deputy administrator. Analysis shows a delay of more than a year and a half before final action was taken, Goodman said. Although inspection revealed more than a year ago that restitution of \$25,000 was due to employees, to date the company had paid only \$5,987.66 in five monthly installments, the file shows.

Goodman and John L. Jones, director of Labor's Non-Partisan League, with the backing of John L. Lewis, C. I. O. head, are urging Members of Congress to investigate what they maintain is an almost complete break-down of wage-hour enforcement. Jones yesterday cited a recent announcement of Col. Philip B. Fleming, Wage and Hour Administrator, that employers would be asked to fill out a questionnaire stating whether or not they had violated the law as "astounding evidence" of the failure to enforce wage-hour provisions.

#### CHAMBER OF COMMERCE PROTEST

The file of the Collins-Morris case shows that efforts of the Wage and Hour Administration to stop a 10-percent kick-back of wages by shoe workers had resulted in a protest from the Chaffee Chamber of Commerce made through Senator BENNETT CHAMP CLARK and Representative ORVILLE ZIMMERMAN, of Kennett. Ed. S. Villmoare, Jr., secretary to Senator CLARK, said he had merely passed on the complaint of the chamber of commerce without reference to its merits.

"I had very little to do with it," ZIMMERMAN said. "As I recall, it was an arrangement entered into by the employees to enable the plant to continue to operate. But I had almost nothing to do with it."

In response to the complaint forwarded by ZIMMERMAN, George E. McNulty, former wage-hour general counsel, wrote that if the kick-backs reduced wages below a minimum of \$11 a week for a 44-hour week, the company would be in violation of the law. This was in May 1939.

#### TEST SUIT PROPOSED

Two months later, the file shows, Alex Elson, regional attorney at Chicago, analyzed the preliminary inspection report and recommended the filing of a civil suit in order to test the validity of the kick-back device "participated in by the company since the effective date of the act, under an agreement between the chamber of commerce and the employees which antedated the effective date of the act."

Another 4 months passed and George E. Duemler, then regional attorney in St. Louis, was asked to carry out a reinspection. He replied on November 18 that this would require 10 days. He said also that the company was continuing to make deductions but not passing them along to the chamber of commerce.

On December 7, the file shows, Duemler conferred with attorneys for the company concerning restitution of about \$25,000. Duemler reported that the company attorneys insisted the deductions were legal and that even if they were not they would continue to make the deductions after the first inspection on advice of the inspector who told them to continue the status quo until Washington had rendered an opinion on the legality of the 10-percent "contributions," which were charged off on the company books to "merchandise" advances to workers.

#### ST. JOSEPH CASE

Another case cited by union executives critical of wage-hour enforcement is that of the Sun Manufacturing Co., of St. Joseph, Mo. Although complaints were filed nearly a year and a half ago no decision has been reached by the Wage and Hour Administration. Recently the National Labor Relations Board ordered the Sun company to reinstate seven women alleged to have been discharged for union activities and to pay back wages totaling \$2,230. This was on

complaint of the Amalgamated Clothing Workers who also filed the original complaints with the Wage and Hour Administration.

In his statement charging failure to enforce the law, Jones pointed out that Labor's Nonpartisan League, in reality a part of the C. I. O., and other labor groups had worked actively to obtain adequate appropriations for the Wage and Hour Administration. On July 1 of this year the administration returned an unexpected balance of \$387,000 to the Treasury.

#### RESIGNATIONS NOTED

"Labor reads in the press," the statement said, "of numerous resignations from the wage-hour staff—resignations of men and women it had come to know as most interested in having the act enforced equitably. It sees references in the press to a report filed by Colonel Fleming's personal investigator on the Kansas City regional headquarters after a 6 weeks' investigation—references indicating the report was ignored and its recommendations rejected."

"From the field labor's own union representatives send in disquieting reports of wage-hour inspectors being ordered to build the statistical records of cases handled and closed by taking the easy, little ones or even chalking up as closed cases firms exempt from the act. Some of these say that inspectors are told they must list 'three a day' or 'eight a day' closed cases for themselves or be in danger of losing their jobs."

Reports are current here that Fleming may resign as head of the Wage and Hour Administration to become administrator of W. P. A., succeeding Col. F. C. Harrington, who died after an operation a week ago.

[From PM of October 8, 1940]

#### WAGE-HOUR BOARD ACCUSED OF LAXITY

WASHINGTON, October 8.—Conflict between the Wage and Hour Administration and labor groups assumed new seriousness today as Labor's Non-Partisan League leveled public charges against the administrators of the Fair Labor Standards Act.

It contended that the administrators were slackening enforcement of the act and putting the detection of violators up to the conscience of employers.

As evidence, Labor's Non-Partisan League cited the return to the Treasury of \$387,000 unexpended balance from the Wage and Hour Administration's 1939-40 appropriation. A perennial complaint of both labor and Wage and Hour Administrator Fleming has been that lack of funds prevented the hiring of an adequate staff of investigators. The \$387,000 which Colonel Fleming returned unused would have provided, it is estimated, 180 additional inspectors at average present salary rates.

The league also criticized a "new procedure to expedite wage-hour compliance" announced by the agency on September 22.

The new procedure asks employers to fill out form AD-85 and says: "Accurately filled out, it will put the employer through a sort of 'examination of conscience' insofar as the wage-hour law is involved. When he has completely filled out the form he will know whether or not he is complying with the law."

The Wage and Hour Administration stated that the new soul-searching formula was not intended to replace independent examination of books and records by its investigators.

#### LETTERS CITED

But Labor's Non-Partisan League calls attention to a letter written by Charles R. Hersum, regional wage-hour director, to a union complainant in New England. The letter is said to state that no further action in this case is contemplated "since they (complainant's employers) state that they have not violated the Fair Labor Standards Act."

An official of the Wage and Hour Administration told this reporter that he had seen a carbon copy of the Hersum letter, and that this read "no further action is contemplated at this time," etc. This, in his opinion, is an important distinction.

It is apparent that Labor's Non-Partisan League's attack on the Wage and Hour Administration is adding to the furor already raging around the issue of industry's compliance with labor laws as a condition for receiving defense contracts. Other more detailed charges against Colonel Fleming are expected.—Marion Bachrach.

#### EXTENSION OF REMARKS

Mr. HOPE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two different particulars and to include certain newspaper articles in each instance.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ROGERS of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a brief address by a former Member of Congress.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BARDEN of North Carolina. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Raleigh News and Observer.

The SPEAKER. Without objection, it is so ordered.

There was no objection.



## PERMISSION TO ADDRESS THE HOUSE

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that following the other special orders today I may address the House for not to exceed 8 minutes.

The SPEAKER. Is there objection?

There was no objection.

## EXTENSION OF REMARKS

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include certain extraneous matter.

The SPEAKER. Is there objection?

There was no objection.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to extend my remarks and include a speech on Stay Out of War.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Washington News.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Under previous order of the House the gentleman from Pennsylvania [Mr. RICH] is recognized for 10 minutes.

## THE THIRD TERM AND THEN DICTATORSHIP

Mr. RICH. Mr. Speaker, I wish to discuss for a few moments the question of the third term and dictatorship. I want to show that the third term was in the minds of the President's family 3 years before he was nominated by the Democratic Party at Chicago this year.

In a supreme crisis like this when mankind's moral, material, and cultural heritage is in grave danger, the American people are asked to sacrifice a sacred tradition that no doubt has had much to do in keeping this Nation a free republic for the past 150 years.

But more than this, how can any reasonable person, Democrat or Republican, partisan or gullible, accept the manner in which this third-term candidacy has been sought and secured?

Who says that President Roosevelt was drafted for a third term?

I charge that this administration schemed and depended on a European war to try to grab a third term.

My authority for this serious accusation comes from the inner circles of the White House itself.

Here before me are some startling facts and documents that the American people should know and ponder over in the next few weeks.

On October 24, 1937, Franklin D. Roosevelt, Jr., the President's son, wrote to Joseph Leib, founder of the first Roosevelt for President Club in the United States, and a political writer, saying:

In the first place I think that it is not my position to make any statement concerning a third term for my father. And, furthermore, the necessity for deciding such an issue has not yet arisen since what we feel today may have to be revised 3 years from now in the light of circumstances beyond our control, such as the foreign situation. \* \* \*

I hold in my hand the original letter from young Roosevelt.

This is a serious and important letter.

What young Roosevelt says in substance is this:

Why should my father reject a third term, 3 years before the Democratic National Convention, when there is a possibility that a war will break out in Europe and he might become another war President?

The President's son also says in this letter that the "necessity for deciding such an issue has not yet arisen."

Does this statement not show that even 3 years before the Democratic National Convention members of the Roosevelt family were looking forward to another term in the White House?

Mind you, that this letter was written 2 years before the war in Europe broke out. Remember that Hitler invaded Poland on September 1, 1939, which started the European war.

No Sherlock Holmes is needed to ascertain where young Roosevelt got these views from.

This was published on October 31, 1937, and it appeared on the front page of nearly every leading newspaper in the Nation. I hold a copy of the New York Herald Tribune in my hand of that day.

Then the very next day, November 1, 1937, the Washington Post on the front page of its first edition reported that Charles Michelson was called to the White House for a conference with the President and James Roosevelt, who was then a White House secretary.

Following this meeting, Michelson confirmed young Roosevelt's statement and issued his weekly pamphlet, which the Washington Daily News on November 8, 1937, carried under this headline: "Michelson hints F. D. may seek a third term."

Here is a copy of that paper, and the text of the article reads:

Obviously, the President cannot in advance decline a renomination that may never be offered him. Just as obviously, with the world in such a turmoil as it is today outside of this continent, it cannot be forecasted whether the American people would permit him to lay down his burden in view of possible eventualities.

He goes on and points out that the administration critics—are invoking the old favorite fable of Roosevelt seeking a dictatorship and then they trot out the old bogey of a third term.

Yes, gentlemen; "the old bogey of a third term" is now a fact. I want to impress upon everyone here that Michelson and young Roosevelt wrote these opinions 3 years before the Democratic National Convention opened and 2 years before the European war broke out.

Does this not prove that this Roosevelt administration betrayed the American people on this third-term candidacy?

Does it not absolutely show that this administration was looking forward to a war in Europe in the hope of remaining in office for another term?

Why is this administration deceiving the American people with all this pretense and holiness?

What kind of democracy is this kind of trickery?

Do you gentlemen remember that famous statement that President Roosevelt made in the middle of the night, saying that he was not aspiring to be a dictator?

Do you recall the exact date that that statement was made?

It was made on April 1, 1938.

April 1—on April Fools' Day.

Why is the President of the United States fooling the American people?

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. RICH. I yield.

Mr. VORYS of Ohio. If the gentleman will remember, when the President was Governor of New York they put through the Baumes law, which provides that if an offender gets three terms it is for life. Does not the gentleman think that he feels that under that principle, if he gets three terms, it will be for life?

Mr. RICH. I will say this, that if he gets three terms he will want four terms and he will want five terms. Sure it will be for life. He intends to be a dictator, as I view it. Nothing short of that for him. Just let me show you the evolution in the past 7 years of the things we did in Congress that were leading up to the fact that he is becoming a dictator. What I am fearful of is that he will declare an emergency to exist before the election on November 5 and then call off the election. I honestly mean that. [Laughter and applause.]

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. HOFFMAN. I notice in the press that on this trip out through Ohio, this so-called nonpolitical trip, paid for at Government expense, a Member of this House made the statement that he was not only for a third term but for a fourth and a fifth term. Did you see that?

Did the gentleman see that?

Mr. RICH. I have seen so much I do not know that I saw that particular article. Most of the New Dealers are for it. I am against it, I can assure you.

Mr. HOFFMAN. I suggest that the gentleman read it.

Mr. RICH. Read it. I have read enough New Deal propaganda. I want to get rid of them. I hope all the people will vote November 5 for Willkie and McNARY and get rid of the third term and the new dealers.

Now, let me show you the things that have been done that have led to dictatorship in Germany, Italy, Russia, and Spain. They first had an extravagant public-works program, then a debauched currency, then power concentrated in the individual who was ruling the country at that time. Then they undermined the independence of the judiciary, and the following things were done: They granted excessive subsidies, there was government by decree, they encouraged subversive forces, they imposed confiscatory taxes, restricted private investment, created an unbalanced budget, imposed a planned economy, fostered class conflicts, took control of the banks, did that which would destroy the morale of industry, engaged in excessive borrowings until they built up a huge national debt, enlarged the bureaucracy, conscripted the Army, conscripted the people; and then the dictator took over everything; he conscripted the farms, he conscripted and regimented labor, and finally he was the exalted power that reigned over those countries.

The time is too short to tell the American people that we are going to have a dictator if we have a third term. America, wake up before it is too late.

[Here the gavel fell.]

#### SPECIAL ORDER

The SPEAKER. Under the special order of the House, the gentleman from Colorado [Mr. LEWIS] is recognized for 30 minutes.

Mr. LEWIS of Colorado. Mr. Speaker, recently I submitted to Gen. George C. Marshall, Chief of Staff, United States Army, an elaborate prospectus entitled "We Suggest a Mountain Military Training Center." This prospectus, which includes 50 exhibits, consisting of photographs and maps of the proposed site, detailed plans and elevations of suggested buildings, and so forth, was prepared by Mr. Robert S. Balch, assisted by some engineers and architects, under the direction of Mr. George E. Cranmer, manager of improvements and parks, of the city and county of Denver, Colo. Mr. Balch is superintendent of Winter Park, which is part of Denver's system of mountain parks, in the foothills and mountains to the west of Denver, outside the corporate limits of our city.

The prospectus suggests that there be established by the United States Army a center for intensive specialized training of a small number of our troops in the technique of operations in rugged high mountains and under heavy snow conditions—including training of troops for rapid movement on skis.

ONLY THOSE INURED TO HIGH ALTITUDES CAN UNDERTAKE GREAT PHYSICAL EXERTION MILES ABOVE THE SEA

We of the States spanning the Continental Divide know that carburetors in our motorcars require special adjustment in order to secure the greatest efficiency in operation in the high mountains. Experienced Army officers tell me that they have noted that even horses and mules accustomed to work near sea level lack efficiency or even fall sick when taken to high altitudes.

It is a fact familiar to everyone in Colorado that even some young men of strong physique and seemingly in perfect health, who have lived most of their lives nearer sea level, are incapacitated for any vigorous physical exertion when they go to an altitude of even 8,000 feet. This is frequently true of persons riding in motorcars or even attempting to walk very slowly. At 10,000 or 12,000, 13,000 or 14,000 feet, some persons collapse. It is true that many of those who experience severe difficulty when first going to high altitudes, become accustomed, during a period of days or weeks or months, to the thinner and more stimulating air and thereafter have no further inconvenience. But no one can tell with certainty in advance what effect the higher altitudes will have upon him. He can never be sure until he actually goes a mile or two or more above the sea.

As this is true of many who merely ride in automobiles to high altitudes or stroll leisurely about carrying no burdens, what would be the effect upon men who had always theretofore lived near sea level if they were obliged to undergo the extreme physical exertion of military combat, in deep snow, 1 or 2 or 2½ miles above the sea? What would happen to soldiers from low altitude States, trained in Southern or other sea level camps, if they should be obliged to oppose an enemy in the high mountains of Alaska or British Columbia?

The need for a high mountain military training center is indicated by the following extracts from the introduction to the prospectus:

If the United States is to have complete military defense preparedness, it must provide for every conceivable eventuality. \* \* \* Every other nation which has either heavy winter or difficult mountain conditions, or both, has produced forces specially trained and equipped to perform competently under such conditions. \* \* \* The possibility is at hand of having to defend such Alpine areas as Alaska and British Columbia, as well as the extensive mountain and snow areas of the United States. \* \* \* With Russia fortifying Big Diomed Island, a mile and a half from United States soil in Bering Strait, the picture arises of a possible attempted defense of Arctic territory with troops trained in Louisiana.

It is further suggested in the prospectus that such a training center be established in an area of about 6,000 acres on the eastern slope of the Continental Divide, in a national forest, at altitudes ranging from 10,000 to 13,000 feet, accessible by an excellent highway, 50 miles west of Denver.

This prospectus, I am informed, is now being carefully studied by the General Staff.

I quote part of the text of the prospectus:

#### WE SUGGEST A MOUNTAIN MILITARY TRAINING CENTER

##### I. INTRODUCTION

##### A. The need

America needs mountain troops. If the United States is to have complete military defense preparedness it must provide for every conceivable eventuality. To do so it must have forces well trained and equipped in every possible type of military activity. Using foreign examples as the standard of modernization, it is apparent that valuable lessons have been learned and suitable adjustment made in such branches as aviation and mechanization. It is also apparent that every other nation which has either heavy winter, or difficult mountain conditions, or both, has produced forces specially trained and equipped to perform competently under such conditions. But America has made little or no progress in this direction.

Are we to be caught napping? The possibility is at hand of having to defend such Alpine areas as Alaska and British Columbia, as well as the extensive mountain and snow areas of the United States, and it is inconceivable that we should neglect the highly specialized preparedness essential to doing that job and doing it right. With Russia fortifying Big Diomed Island, a mile and a half from United States soil in Bering Strait, the picture arises of a possible attempted defense of Arctic territory with troops trained in Louisiana. Although Russia apparently shares with England the distinction of having learned little of ski or mountain technique from the European examples, there is no reason to suppose that conditions will remain the same.

##### B. The example

The example is before us clearly enough. We know something of what can be done and how essential it is to be ready when the conditions arise. Russia was unprepared in Finland. We saw pictures of Finnish soldiers laughing over captured pamphlets hastily issued by Russia, urging her soldiers to learn to ski and explaining how. We know they were laughing because it takes at least 3 years of intensive training to make an able skier of an average civilian, even without military science. The Finnish patrols had trained together all their lives.

Likewise, we felt the pity of the poor Englishman's position in Norway. When captured he was so heavily clothed that he could hardly move, bundled in long underwear, sheepskins, and mufflers, and trying to maneuver with standard infantry and artillery equipment. Yet he was up against Austrian Jager troops with special clothing, equipment, and training which made them as active as athletes in summer.

Years of study, practice, and the bitterest experience have produced magnificent ski and mountaineer troops in Europe and we should be able to profit by the example. In the course of World War No. I, Austria and Italy progressed from complete ignorance to complete science by trial and error. At the start the conception of war in Alpine areas was limited to valley operations. Where the contours thickened, blanks were left on army maps with the notation that the areas were "strategically inaccessible," and therefore need not be defended. Yet the boundary passed through this country of mighty cliffs, glaciers, and eight to twelve thousand foot peaks, and



before the war was over every peak had been fortified and great mass movements and actions had taken place.

During those years came the intensified developments that have resulted in modern Alpine technique. For instance, before the war aerial cable tramways were a rare aid to mining, yet by 1918 there were 3 kilometers of supply tramways for every kilometer of front, and the mono-cable and portable trams had been perfected. Light arms and equipment and such unheard-of specialties as the rolling time bomb developed.

Engineering was more important here than ever before. Emplacements were completed in unbelievable positions including the top of the 12,800 foot Ortler, and the batteries hidden in rock or ice caves were among the most effective weapons of the war. The art of constructing and concealing "cliff dweller" barracks among the peaks was developed including the necessary tunnels, ladders, fixed cables, and concealed access routes. Sapping and mining played a big part offensively and developed into races of tunneling skill involving hundreds of men and complicated machinery, with life or death the prize. For example, on the morning of March 13, 1918, on Monte Pasubio in the Dolomites, the Italians were completing arrangements to fire their charge of 13,000 kilograms of gelatin which they had placed under the enemy position. Unknowingly they stood over a lethal 55,000 kilograms of dynamite themselves. The Austrians were ready first.

Weather and snow conditions were the common enemy, whose mastery was acquired by miserable experience. On December 13, 1916, more men were lost in avalanches than had been killed in action on both sides in the previous year, 6,000 dead in all, 300 in one group on the Marmolata—all the result of ignorance in placing and arranging positions and in interpreting the weather.

Mountaineering technique improved to the point where troops ascended peaks previously attained only by a handful of fanatic sportsmen and guides.

And ski-troop technique advanced from the stage where volunteers were sent down from North Germany to the Alpine areas because they could skate or had been through the mountains in a train to the point where patrol actions were the determining factor and great winter campaigns such as the advance through the Carpathians could be successfully carried out.

So we visualize how the importance and attainment of mountain military science dawned on Europe. One can picture the development that must have taken place in the intervening years and note the significance of the fact that several hundred thousand men are enrolled in the mountain and ski troops of Finland, Norway, Sweden, Germany, Italy, Switzerland, France, and Spain, with a much smaller area to defend than we would have in North America.

#### C. The opportunity

Therefore we believe that the time has come to develop similar strength and feel that the opportunity is at hand. Information is certainly available. We have now in this country many refugees who have served in foreign Alpine corps, including the best-known ski instructor in the world, Mr. Hannes Schneider, who has advised many governments on such development as well as serving as an officer himself. In addition, Swiss official cooperation could undoubtedly be arranged.

Ample Government funds are now available for defense purposes, and we therefore suggest that constructive steps be taken at once. Obviously the first requirements are instruction and research. The ideal first move would be to establish conveniently located permanent Alpine training centers from which trainees could be sent to outlying bases, such as Alaska, as required. The location of such a center might well be based on the following major requirements:

- (1) Alpine terrain of great extent and variety.
- (2) High altitude.
- (3) Heavy snow; long winter.
- (4) Isolation from public, but accessibility for operation.
- (5) Convenience to air facilities.

One place in the United States which satisfies all the requirements is this area in the Rocky Mountains, on the Continental Divide; viz, region of Jones Pass, Colo.

Since this area provides the opportunity to take constructive action, the following plan is submitted as the most logical solution:

#### II. PROPOSAL FOR A MOUNTAIN MILITARY TRAINING CENTER NEAR JONES PASS, CLEAR CREEK COUNTY, COLO.

##### A. Purpose

##### 1. Definition

A center is to be organized to provide the highly specialized training required for successful military operations in high mountain terrain at all seasons. (Note: Program will qualify trainees automatically for winter operations in flat country as well.)

##### 2. Suggested Program

No attempt is made here to organize the military-training routine, but it is assumed that some such program of activities as this will be followed in general.

##### (a) Winter

Daily field classes in downhill skiing to be held on practice slopes served by uphill tows.

Short expeditions of small groups involving climbing and snowcraft.

Short maneuvers with arms in small groups.

Target practice.

Daily indoor classes in theory of ski technique and related subjects including waxing, snow, weather, and avalanche conditions.

Daily indoor classes in equipment.

Special training with dog-team transport.

Some longer expeditions.  
Daily classes in mountain and winter aspects of engineering, radio, supply, first aid, etc.  
Periodical combat-team maneuvers over larger areas with auxiliary and air cooperation.

##### (b) Summer

Field classes in mountaineering technique. Expeditions of varying length.

Daily indoor classes in arms, equipment, engineering, radio, first aid, etc.

Special training in portable cable tramway technique.

Special training with mule transport.

Special training in sapping, mining, and mountain engineering.

Target practice.

##### (c) All year

Research.

##### B. Scope

##### 1. Personnel

The suggested size of personnel is set at 500 for the post including trainees and staff.

##### 2. Facilities

Complete facilities are to be provided for the carrying out of such a program by this group.

##### (a) Housing

The men are to be housed, fed, and provided with study and recreation facilities. Trainees and noncommissioned officers will live in barracks; higher officers, instructors, and service staff in private houses or apartments. The post will include all auxiliary facilities necessary for permanent operation, including such items as hospital, guard room, laundry, armory, work shops, garage, stable, etc.

##### (b) Land

The areas necessary for the post and for field training are to be provided. The post is to be part of a military reservation. This reservation will include a home practice ground for daily use. Outside the reservation, but immediately beyond, is to be a secondary training area for extended operations. In this area there is to be a landing field at the nearest suitable spot.

##### C. Location

##### 1. Suitability

The location chosen for the center is an area in the main range of the Rocky Mountains, adjacent to the Continental Divide at a point where it comes nearest to Denver. Here the altitude is high and the winter long, the country wild and mountainous and difficult yet not too isolated. The terrain provides very adequately for all the requirements enumerated above. The surrounding region in general is already a popular mountain playground and includes the Denver Winter Park ski development of slopes, runs, and tows.

##### 2. Accessibility—(a) From Denver

The military reservation site is adjacent to United States Highway No. 40, a transcontinental route, at a point 50 miles west of Denver. The main rail line from Denver to Salt Lake City is available at Winter Park Station, the West Portal of the Moffat Tunnel, 15 miles north on the same highway.

##### (b) From any point in the country

Denver is a central point well served by main rail and air lines, as shown on the accompanying diagram.

##### 3. Strategic Vulnerability

The Denver area is one of the least vulnerable points in the country and any site in the mountain terrain to the west is doubly safe. The accompanying diagram shows that it is 840 air miles from the nearest Pacific coast point, 645 miles from the Canadian border, 570 miles from the Mexican border, and 370 miles west of the geographical center of the United States.

##### 4. Convenience to Federal Activity

Denver is the western center of United States Government administration and has more Federal offices than any city except Washington, D. C. Army activity is heavily concentrated here. Note that the training center is to be in a region almost entirely Government owned, part of the 14,000,000 acres of national forests and parks in the State. There are three C. C. C. camps in the immediate vicinity.

##### 5. Convenience to Air Facilities

Lowry Field makes the possibility of close cooperative training with the air force practicable. There is an excellent landing field site at Fraser, 20 miles north from the Jones Pass area on United States Highway No. 40, as shown on the maps.

#### III. PLANS

##### A. Terrain

##### 1. General Region

The general map of the region shows the natural integration of the functions of the three main area units: reservation, secondary training area, and landing field. The reservation is the heart of the development, served by life lines of highway and rail. It is the focus of concentrated daily routine activity, both indoor and outdoor; living, class instruction, and field practice. When major expeditions are to be made, maneuvers to be held, or more difficult terrain is desired, activity will overflow into the surrounding secondary training area. The landing field nearby will have sporadic use for air cooperation training.

## 2. Area Units—(a) Reservation

The reservation site is an area of approximately 6,000 acres, located in a loop of the Continental Divide on the eastern slope. It functions perfectly as a unit since it is a natural bowl bounded on three sides by the ridge of the divide and on the fourth by a ridge of equal elevation. Altitude ranges approximately from 10,000 feet at the bottom of the bowl to 13,000 feet at the highest point of the rim, with timberline half-way between.

The only possible traffic entrance is through a narrow gap on the east. This is the only point where the area is tangent to the main highway, so it is well isolated from public interference, but not from access. The main entrance control gateway will be either directly on the highway or far enough in to avoid conflict with the mining of war material ores in the adjacent Woods Creek Valley.

The access road and highway both follow the water level of West Clear Creek, which is augmented in summer by the flow through the Jones Pass diversion tunnel. The tailings dump at the east portal of this tunnel, 1.8 miles from the highway, is to be the post site. This is the common point of convergence of the series of glacial cirques and drainages which comprise the bowl.

The surrounding terrain of the home practice ground is mountainous without being extremely difficult and includes a variety of features. There are slopes of all degrees of steepness and interest for ski practice both above and below timberline. For summer training the timbered valleys offer excellent problems, as well as the long scree slopes, sharp ridges, and small cliffs and gullies.

Daily activity in winter will be concentrated on the ski practice slopes. The beginners' slope is located on the west bank of Butler Gulch, 300 yards up the trail from the post. It is a hillside of moderate slope ending in a flat meadow. An area of approximately 2 acres of timber is to be cleared and grubbed and a manila-rope tow of 800 feet length and 200 feet rise installed.

The advanced ski-practice area is across the creek from the post and will be reached by a bridge. Ski action focuses here on daily instruction classes for advanced and expert trainees. Here will be held the competitions necessary for keenness and enthusiasm. The main slope is to be directly opposite the bridge and the barracks, on the face of the ridge dividing Butler Gulch from Red Mountain Creek. It will be a wide clearing half a mile long and six or seven hundred feet high. In the center of this the ski tramway will run up to a flat landing spot at the 11,000-foot elevation, serving in addition a ski-run down each of the side gullies. The tramway is to be the overhead mono-cable wire-rope type with 2-passenger hangers having automatic vertical compensation. This is the type found to be most successful. In this connection, note that the Swiss patentee also supplies the similar portable type for military supply. Costs of ski facilities plus portable tramway are as follows:

Hemp rope tow, 800 x 200 feet (installed)-----	\$1,200
Swiss type tramway, 2,100 x 600 feet (installed)-----	19,170
Portable military tramway, ½-mile-----	10,000
Clearing 10 acres at \$300 an acre-----	3,000
<b>Total-----</b>	<b>33,370</b>

Short expeditions will use the natural facilities of the three drainages: Butler Gulch, Jones Pass proper, and Vasquez Ski Pass. The trail from the post to Jones Pass can handle heavy traffic as it is an abandoned truck road. Safe winter passes out of the bowl are the Butler-Woods Pass and Vasquez Ski Pass.

Summer use will concentrate on the larger areas above timber line and center on the small cliffs in Butler Gulch.

### (b) Secondary training area

Beyond the bowl to the north, west, and south lie long valleys between high ranges. This is the secondary training area for longer expeditions and maneuvers. Each valley is reached by one or more passes over the rim of the bowl as shown in red on the map. One of them provides a splendid secondary ski-training area, the headwaters basin of the west branch of Vasquez Creek, which is a region of moderate open slopes, mainly above timber line, with interesting variety.

The Woods Creek area is also suited to skiing, but the St. Louis Creek and Williams River areas are too exposed to avalanche danger in winter and spring. All valleys return either to the highway or to the post as follows:

- Woods Creek—5 miles from rim of bowl to post.
- Vasquez Creek—10 miles from rim of bowl to highway.
- St. Louis Creek—15 miles from rim of bowl to highway.
- Williams River—30 miles from rim of bowl to highway.

The Gore Range, 18 miles airline to the southwest, is a wilderness area of extreme ruggedness. Here are to be found the cliffs and peaks of extreme difficulty necessary for finished training in mountaineering technique. The area is accessible by main highway via Loveland Pass and Dillon, as well as by difficult cross-country trails. The Arapaho Range duplicates this on the northeast, but is more subject to conflict with the public.

### (c) Landing Field

The landing field site is 20 miles away on the main highway at Fraser. It is a wide, flat valley of hay fields, which has already been used for landing in both summer and winter. It would be possible to connect with it for coordinated activity either by truck or by use of the Vasquez Creek Valley. For this purpose it would be desirable to open a trail or road through the valley to the West Vasquez Ski Pass into the reservation. This pass is easy and safe enough for winter use, while the main Vasquez Pass is not.

## B. Post

### 1. Site

(a) Location: At east portal of Williams Fork diversion (Jones Pass) tunnel, 1.8 miles west of United States Highway No. 40.

(b) Soil: Condition loose loam with rock, varying from rock outcropping to 3 feet of soil. Soil is absorbent and excellent for top soil for tunnel dump covering and disposal absorption.

(c) Topography: Exclusive of tunnel dump, south exposure has a general usable slope from the stream varying from 5 degrees to 10 degrees horizontal angle. The tunnel dump, 1,000 feet long, and an average width of 160 feet, affords an excellent foreground for a large development. This area is to have a minimum of 2 feet of top soil for planting.

(d) Bearing: All structures on native soil shall be carried to solid rock. All those on dump fill shall be carried on mass footings below frost line.

(e) Water supply: All year daily flow of West Clear Creek, where it adjoins tunnel, approximately 50 second-feet.

### 2. Road

The site is approached from the highway via the existing graded dirt road which was built for hauling over Jones Pass. This road is to pass through a controlled entrance station (not shown on plans). To be relocated beginning 1 mile east of site to service higher on the north hillside and function primarily for the use of the post (clearing, grading, and oiling will constitute the construction program, as no heavy cuts or bridges will be necessary).

At the post it is to serve in series the four main traffic areas: Civilian housing, utility, headquarters parking, and officers' quarters.

Beyond the post this relocated road will continue as a minor road or trail to the point where it rejoins the original route to Jones Pass.

### 3. Buildings

(a) Space requirements: The total personnel of the post is assumed to consist of the following groups: Eleven classes of 33:

- 263 trainees.
- 36 noncommissioned officers.
- 11 instructors.
- 20 administrative and executive officers.
- 70 civilian staff employees.

500 men.

This break-down is based on the ideal maximum class size of 33 and the usual proportion of noncommissioned officers to men of 1 to 10. Barracks will house the 399 trainees and noncommissioned officers. The nonbarrack housing of instructors, officers, and employees is too problematical for solution here, so this proposal does not include any specific provision for it except site.

Minimum standard Army requirements form the basis of space design for the post.

Mr. Speaker, there is then set forth in the prospectus a detailed description of the five proposed buildings with designation of the purposes of each, statement of the floor areas and capacity of each building for enlisted men and officers, and description of the several rooms in each building; description of the architecture; outline of materials and equipment and specifications and cost estimate. A stable for 22 mules, a garage for trucks and combat car, storage for supplies and food, blacksmith shop, and so forth—none of these necessary features are overlooked. This detailed statement in the text of the prospectus is supplemented by carefully prepared detailed plans and elevations, photographs of the site, and sketches showing how the proposed buildings would appear on the site—all of which are included among the 50 exhibits in the prospectus.

The estimated cost of the installation—including all buildings, heating system, electric power and lighting system, sewage-disposal system, ski facilities and portable tramway—is given in the prospectus as totaling \$758,770.

This prospectus certainly makes a strong case in support of the need for intensive specialized training of a small body of seasoned troops in the technique of operations in rugged high mountains and under conditions of heavy snow, including training in rapid movement of troops on skis. I am gratified that the suggestion for the establishment of a mountain military training center and the site proposed are being given careful consideration by the General Staff.

The SPEAKER. Under the previous order of the House the gentleman from Wisconsin [Mr. SCHAFER] is recognized for 8 minutes.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to proceed for an additional 3 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SCHAFER of Wisconsin. Mr. Speaker, the pamphlet recently issued by the Colored Division of the Democratic



National Committee, which directs attention to the ancestry of Wendell L. Willkie, vilifies him, attempts to brand and smear him as un-American and is reprehensible. In the year 1917, on the day that the United States declared war against Germany, Wendell L. Willkie enlisted as a soldier and was sent overseas where he bared his breast to the enemy while his opponent President Franklin D. Roosevelt, who is supported by the colored division of the Democratic National Committee had a soft civilian berth in Washington, 3,000 miles away from the shot and shell which Willkie was facing while fighting for our country and our countrymen under the Stars and Stripes. [Applause.]

Mr. Speaker, Charles Michelson, the \$25,000-a-year New Deal smear man, who is responsible for putting out this slanderous political-campaign document attacking the Americanism of Comrade Wendell L. Willkie, was originally put in charge of the Democratic National Campaign Committee publicity and propaganda division and subsidized with many thousand dollars of bloody world-war profits by John Jacob Raskob, of the war-munitions house of Du Pont.

Mr. Speaker, the dastardly attempt of venal, viperous New Deal political poison-peddling character assassins to deliberately and maliciously slander Wendell L. Willkie as unpatriotic, is most reprehensible in view of the fact that in April 1917, when our country declared war against Germany, Comrade Willkie enlisted for active service in the United States Army. He was later promoted and commissioned as a captain and served overseas with the Three Hundred and Twenty-fifth Field Artillery. [Applause.]

Comrade Wendell L. Willkie did not have a soft swivel-chair berth in the civil branch of the Government 3,000 miles away from the battle front as did President Roosevelt, his political opponent in behalf of whose candidacy the colored division of the Democratic National Committee disseminated their indefensible attack which questioned Comrade Willkie's patriotism.

Mr. Speaker, may I repeat that the day upon which the United States declared war against Germany, Wendell L. Willkie enlisted for active service in the United States Army and served overseas on the battle front and was promoted and commissioned a captain by reason of his exceptional ability and faithful service as a soldier. [Applause.] He did not receive a captain's commission with a soft, swivel-chair job in the purchasing division of the Army as did Elliott Roosevelt, the multimillionaire son of President Roosevelt, his multimillionaire political opponent in behalf of whose candidacy the libelous pamphlet has been extensively circulated by the colored division of the Democratic National Committee. [Applause.]

Mr. Speaker, it would have been far more appropriate for the colored division of the Democratic National Committee to have informed our colored brethren in the North that the heart of the Democratic Party is below the Mason and Dixon's line where they count colored people in the census for apportionment of Congressmen and Presidential electors and generally deny them the right to vote in violation of the fourteenth amendment to the Constitution of the United States and also deny them other sacred rights and liberties guaranteed to our citizens under the fourteenth and fifteenth amendments to the Constitution. Mr. Speaker, in the State of Mississippi in the last congressional election 7 New Deal Mississippi Democratic Congressmen received a total of only 36,000 votes, which is less than half of the votes cast in most of the individual northern congressional districts. The colored division of the Democratic National Committee should have told our colored countrymen that in the New Deal Democratic-controlled South below the Mason and Dixon's line the colored people's living quarters are segregated and they must ride in Jim Crow cars and are compelled to patronize colored hotels, restaurants, theaters, public parks, and so forth, and can only attend colored churches.

Mr. Speaker, the record reveals that our New Deal Democrats render lip service to our colored countrymen north of the Mason and Dixon's line while they hit them below the belt,

burn and lynch them in the solid Democratic South below the Mason and Dixon's line.

Mr. Speaker, this slanderous Democratic campaign document attempts to put the Ku Klux Klan nightshirt on Mr. Willkie. It must be remembered that the citadel of the Ku Klux Klan is in the New Deal Democratic-controlled South below the Mason and Dixon's line and that the imperial wizard of the Ku Klux Klan has his national headquarters on Peachtree Road in the city of Atlanta and the State of Georgia, which are both in complete control of the Democratic Party and whose citizens are main cogs in the New Deal Democratic political machine. The record also shows that Comrade Wendell L. Willkie led a successful battle in Akron, Ohio, against the Ku Klux Klan in the years 1924, 1925, and 1926.

Mr. Speaker, the un-American, subversive, and slanderous pamphlet recently issued by the Democratic National Committee through its colored division is indefensible, reprehensible, contemptible, and indicative that our New Deal Democratic brethren are hard pressed and will resort to any and all foul means in order to retain control of our Federal Government and continue their nefarious work to sabotage the Constitution of the United States, spend Uncle Sam into bankruptcy, plunge him into the new European war, and establish a New Deal soviet dictatorship in our Republic. [Applause.]

Mr. Speaker, in view of the active overseas World War military service of Comrade Wendell L. Willkie during the war between the United States and Germany in 1917, 1918, and 1919, all of those who are responsible for putting out the scurrilous smear pamphlet by the colored division of the Democratic National Committee can certainly qualify as members of a political polecat club. They seem to be emulating their leader, President Roosevelt, who repeatedly says, "Ah hate wah," while his record clearly demonstrates that he is a war fomenter and a war interventionist who does hate "wah" veterans. [Applause.]

Mr. Speaker, in view of this Democratic National Committee smear document, our Democratic brethren should remove the ancient and honorable donkey insignia from all of their political party headquarters and replace them with insignia of a well-known American nocturnal carnivorous bushy-tail animal which Webster defines as a skunk.

Mr. Speaker, I call upon the millions of our Nation's war veterans, their families and their friends, to take cognizance of the dastardly attack upon our overseas comrade, Wendell L. Willkie, whose record reveals that he is an outstanding, noble American patriot, and not an enemy of our country as our New Deal political mercenaries attempt to portray him. Wendell L. Willkie, the Republican candidate for President, is a volunteer soldier and a patriot. Let us unite and go over the top on November 5 behind Capt. Wendell L. Willkie, who will drive the New Deal international money changers, Wall Street sharks and barracudas, war fomenters, war interventionists, warmongers, and Benedict Arnold chosen tribe of Karl Marx disciples from the temple of our Federal Government. [Applause.]

Mr. Speaker, Comrade Wendell L. Willkie is leading the forces of those who want to uphold, defend, and preserve our American constitutional system of government under the Stars and Stripes against those who desire to replace it with a soviet conception of governmental autocracy imported direct from Moscow by our New Deal brethren.

Mr. Speaker, this November 5 is the day on which the battle of America will be fought. Our countrymen must choose on which side they will stand. Our good Lord and Saviour said, "No man can serve two masters." He also said, "He who is not with Me is against Me." I choose to stand with and go over the top on November 5 behind Capt. Wendell L. Willkie in order that I might best serve my country and my countrymen, to the end—

That this Nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.

[Applause.]

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mrs. NORTON. Mr. Speaker, I call the attention of the House to two telegrams that were sent in my name on Saturday from the Western Union office in the Senate Office Building. The telegrams were sent, one to T. J. Tumulty, and the other to the Jersey Journal. The first one to T. J. Tumulty reads as follows:

To T. JAMES TUMULTY,  
Jewett Avenue, Jersey City:  
Accept challenge to debate, arrange details Commissioner  
Potterton, October 23, Jersey City.

MARY T. NORTON.

The second one reads as follows:

To JERSEY JOURNAL,  
Journal Square, Jersey City, N. J.:  
Accepted challenge debate with T. James Tumulty October 23,  
Jersey City.

MARY T. NORTON.

This morning the young lady in charge of the Senate Western Union office called my attention to these telegrams and sent copies to me. Attached she sent a memorandum reading:

In reference attached wires. I accepted these two wires over the counter Saturday, October 12, at 12.22 p. m., by two young men, age about 25, dark hair and smooth complexions.

MAUD BLAINE,  
Western Union Telegraph Co., Senate Office.

Apparently she was suspicious of the telegrams. She was quite right as I not only did not send the telegrams but had no knowledge of any challenge to debate with Mr. Tumulty or anyone else.

When I talked to the Western Union operator at the Senate office I asked her why she sent telegrams in my name without my authority. She said she could not reach my office, which was true, because my office was closed at that time. As the telegrams were paid for, and as Members frequently send telegrams by boys, she explained, there was nothing else she could do but accept the telegrams. But she was so suspicious she called up my office this morning to report the matter to me.

Apparently the telegrams were a plant, as on Saturday night a telegram came to my home in Washington, which I did not receive until late Sunday night on my return home, reading as follows:

JERSEY CITY, October 12, 1940.

MARY T. NORTON,  
Kennedy-Warren Apartments:

Your acceptance of my debate challenge to Commissioner Potterton received. Glad that you assumed the burden of this debate. Will arrange details for October 23, as you suggest, with Commissioner Potterton on Monday.

T. JAMES TUMULTY.

At first I thought that the telegram was a joke. Then I was called up by some newspapermen and asked about an article that appeared in the Sunday New York Times about this debate. I then decided it was not a joke and sent the following telegram to Mr. Tumulty, collect:

OCTOBER 14, 1940.

MR. T. JAMES TUMULTY,  
Jersey City, N. J.:

Your mysterious telegram received. Don't know anything about any debate challenge. You know you never received any kind of communication from me. I dare you to produce the acceptance you mention. If this is your method of getting free publicity, it is a stupid and cheap political trick.

MARY T. NORTON.

The key to the situation came with the message from the telegraph operator in the Senate Office Building this morning.

My purpose in calling this matter to your attention is because I feel it is absolutely necessary in order to protect the membership of the House. Any Member may have a telegram sent in his or her name about which she or he knows nothing. If this sort of practice is to continue, it is treacherous and could be very unfair and embarrassing to Members.

I intend to investigate the matter further to find out who is responsible for sending those two telegrams in my name.

Mr. McCORMACK. Will the gentlewoman yield?

Mrs. NORTON. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. As I understand the gentlewoman, whoever sent these telegrams also paid for them?

Mrs. NORTON. The telegraph operator informed me they paid for the telegrams.

Mr. McCORMACK. It simply shows what can happen to any one of us. This is nothing but a plot.

Mrs. NORTON. That is true, and it seems a very stupid plot.

Mr. McCORMACK. It is an attempt to embarrass the gentlewoman from New Jersey.

Mr. CASE of South Dakota. Will the gentlewoman yield?

Mrs. NORTON. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I certainly want to have it said, and I think I can speak for the minority Members, that such tactics are not countenanced or supported by us, because that kind of politics and that kind of tactics are to be classed with the circulation of this scurrilous attack on Mr. Wendell Willkie's ancestry about which we heard today. That entire class of politics is reprehensible and has no place in the United States.

Mrs. NORTON. I do not think any fair-minded person would resort to such petty politics.

Mr. HOFFMAN. Will the gentlewoman yield?

Mrs. NORTON. I yield to the gentleman from Michigan.

Mr. HOFFMAN. May I call the gentlewoman's attention to the fact that unless there has been some recent change in the law there is nothing she can do about it. I had a speaking engagement at Reading, Pa. On my way, I was stopped at Baltimore by a wire purporting to come from the chairman of the meeting, but it was sent by a C. I. O. member, telling me that the meeting had been canceled. I took it up with the company and after investigation and the offer of a reward, I learned the name of the man who sent it. I took the matter up with the Federal authorities here and with the prosecuting officer of the county up there as well as with the Western Union, and I was advised I had no remedy.

Mrs. NORTON. Is it not a criminal offense to sign another person's name to a telegram?

Mr. HOFFMAN. They tell me it is not.

[Here the gavel fell.]

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. MAY, indefinitely, on account of critical illness of his wife.

To Mr. VINSON of Georgia, indefinitely, on account of sickness in family.

To Mr. CLUETT, for an indefinite period, on account of illness.

#### ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 892. An act to extend to custodial-service employees employed by the Post Office Department certain benefits applicable to postal employees;

H. R. 1874. An act for the relief of Mrs. E. V. Maki;

H. R. 6658. An act to authorize the lease or sale of certain public lands in Alaska, and for other purposes;

H. R. 7252. An act to authorize the Secretary of the Interior to sell or lease for park or recreational purposes, and to sell for cemetery purposes, certain public lands in Alaska;

H. R. 7916. An act granting 6 months' pay to Lillian M. Raymond;



H. R. 8512. An act to provide for the acquisition of additional lands for the Chickamauga and Chattanooga National Military Park, and for other purposes;

H. R. 8646. An act to authorize the exchange of certain patented lands in the Death Valley National Monument for Government lands in the monument;

H. R. 8930. An act to amend section 202 (3), World War Veterans' Act, as amended, to provide more adequate and uniform administrative provisions in veterans' laws, and for other purposes;

H. R. 9173. An act for the protection of the water supply of the town of Petersburg, Alaska;

H. R. 9982. An act to amend section 4551 of the Revised Statutes, as amended, and for other purposes;

H. R. 10322. An act to amend further the District of Columbia Unemployment Compensation Act;

H. R. 10440. An act for the relief of the First National Steamship Co., the Second National Steamship Co., and the Third National Steamship Co.; and

H. R. 10527. An act to provide for an extension of the conditions under which a money allowance for quarters may be paid to certain commissioned officers of the Army of the United States.

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 527. An act for the relief of J. J. Greenleaf;

S. 3612. An act to authorize the Secretary of War to accept, as loans, from States and political subdivisions thereof, funds to be immediately used in the prosecution of authorized flood-control work, and for other purposes;

S. 3786. An act to provide for the punishment of persons transporting stolen animals in interstate commerce, and for other purposes;

S. 4275. An act to increase the authorized number of warrant officers and enlisted men in the Army Mine Planter Service, and for other purposes; and

S. 4362. An act to provide for the completion of certain local-protection works at East Hartford, Conn.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on Friday, October 11, 1940, present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 3907. An act for the relief of William A. Reithel;

H. R. 6083. An act for the relief of Adolph Burstein.

H. R. 6091. An act for the relief of Samuel Roberts.

H. R. 7283. An act for the relief of Frank Hall;

H. R. 7784. An act for the relief of Howard R. M. Browne;

H. R. 7813. An act to safeguard the homing pigeon;

H. R. 8333. An act for the relief of Ralph W. Daggett, formerly lieutenant, Quartermaster Corps;

H. R. 8613. An act to amend the act to provide for the retirement of disabled nurses of the Army and the Navy;

H. R. 8705. An act for the relief of Howard Mondt;

H. R. 9972. An act authorizing the improvement of certain rivers and harbors in the interest of the national defense, and for other purposes;

H. R. 10094. An act to require the registration of certain organizations carrying on activities within the United States, and for other purposes;

H. R. 10194. An act for the relief of the late John L. Summers, former disbursing clerk, Treasury Department;

H. R. 10354. An act for the relief of Guy F. Allen, chief disbursing officer, Treasury Department, and for other purposes;

H. R. 10412. An act to expedite the provision of housing in connection with national defense, and for other purposes; and

H. J. Res. 614. Joint resolution making an additional appropriation for national-defense housing for the fiscal year ending June 30, 1941, and for other purposes.

#### ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 40 minutes p. m.), under its previous order, the House adjourned until Thursday, October 17, 1940, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1989. A letter from the Archivist of the United States transmitting recommendation for disposition of a list of papers by the Department of the Treasury; to the Committee on the Disposition of Executive Papers.

1990. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of the Treasury; to the Committee on the Disposition of Executive Papers.

1991. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of the Interior; to the Committee on the Disposition of Executive Papers.

1992. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of motion-picture film by the Department of Labor; to the Committee on the Disposition of Executive Papers.

1993. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Office of Education, Federal Security Agency; to the Committee on the Disposition of Executive Papers.

1994. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Public Health Service; to the Committee on the Disposition of Executive Papers.

1995. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers; to the Committee on the Disposition of Executive Papers.

1996. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Veterans' Administration; to the Committee on the Disposition of Executive Papers.

1997. A letter from the Secretary of the Treasury, transmitting a proposed bill to provide for the establishment, administration, and maintenance of a Coast Guard Auxiliary and a Coast Guard Reserve; to the Committee on Merchant Marine and Fisheries.

1998. A letter from the Acting Secretary of the Navy, transmitting a report by the Secretary of the Navy, concerning cases wherein competition resulted in the award of quantity contracts under the act of March 5, 1940 (Public Law 426, 76th Cong., 3d sess.); to the Committee on Military Affairs.

1999. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to amend section 17 of the Joint Service Pay Act, approved June 10, 1922, as amended; to the Committee on Military Affairs.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. RAMSPECK: Committee on the Civil Service. S. 4208. A bill establishing overtime rates for compensation for employees of the War Department, its field services, the Panama Canal Zone, and for other purposes; without amendment (Rept. No. 3052). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSPECK: Committee on the Civil Service. S. 4373. A bill to amend the act of June 25, 1938, entitled "An act extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes; without amendment (Rept. No. 3053). Referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DIMOND:

H. R. 10641. A bill to authorize investigation of the tin resources of Alaska; to the Committee on Mines and Mining.

By Mr. LESINSKI:

H. R. 10642. A bill conferring citizenship upon alien World War veterans; to the Committee on Immigration and Naturalization.

By Mr. SNYDER:

H. R. 10643. A bill to provide for Federal assistance to the States in making surveys, studies, and recommendations for the planning, location, and enlargement of vocational schools that will provide adequately for vocational training for defense; to the Committee on Education.

By Mr. PETERSON of Florida:

H. J. Res. 615. Joint resolution authorizing the annual issue of a series of air-mail stamps on pan-American Aviation Day; to the Committee on the Post Office and Post Roads.

By Mr. TOLAN:

H. Con. Res. 92. Concurrent resolution authorizing the Select Committee Investigating the Interstate Migration of Destitute Citizens to have printed for its use additional copies of its hearings on interstate migration; to the Committee on Printing.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DIMOND:

H. R. 10644. A bill for the relief of Doc Silvers; to the Committee on Claims.

By Mr. LECOMPTE:

H. R. 10645. A bill granting a pension to Mary Herod; to the Committee on Invalid Pensions.

By Mr. PETERSON of Florida:

H. J. Res. 616. Joint resolution for the relief of Mrs. Lillie Clemons; to the Committee on War Claims.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

9359. By Mr. FULMER: Resolution adopted by the South Carolina Council for National Defense, submitted by Mr. Heyward Mahon, director, urging that the Federal Power Commission and other agencies of the Federal Government be urged by the South Carolina delegation in Congress, by the Governor of South Carolina, and by the South Carolina Council for National Defense to immediately declare the Santee Cooper project, the Clark's mill project, and the Lyles-Ford tricity development project be necessary to the national-defense program, and that the completion of the Santee Cooper and the authorization of the Clark's mill project be expedited; to the Committee on Military Affairs.

9358. By Mr. COFFEE of Washington: Petition of Tacoma Industrial Union Council, Congress of Industrial Organizations, Freeman L. Cochran, secretary, Tacoma, Wash., pointing out that the Bethlehem Steel Corporation has consistently followed an antilabor policy; that such attitude has culminated in a strike at their Bethlehem fabricating plant, at Alameda, Calif.; deploring the fact that, nevertheless, the Federal Government has given orders for material to such corporation; and urging that the United States Government immediately cease giving orders for defense materials to the Bethlehem Steel Corporation and not resume such business until such corporation reforms and enters into contractual relations with organized labor in good faith; to the Committee on Appropriations.

### SENATE

TUESDAY, OCTOBER 15, 1940

(Legislative day of Wednesday, September 18, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Duncan Fraser, assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O God of wisdom and truth, in whose sight we, like sheep, have all gone astray: Forgive in us whatsoever is amiss; establish us in Thy goodness, that, purified from every petty sin that so easily besets us, we may walk in Thy light and run the race that is set before us, fearless and without reproach,

until the fever of life is over and our work is done. Then, by Thy mercy, grant us a safe lodging and a holy rest, and peace at the last. Through Jesus Christ our Lord. Amen.

#### THE JOURNAL

On motion of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Monday, October 14, 1940, was dispensed with, and the Journal was approved.

#### MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that on October 14, 1940, the President had approved and signed the following acts:

S. 162. An act to protect producers, manufacturers, distributors, and consumers from the unrevealed presence of substitutes and mixtures in spun, woven, knitted, felted, or otherwise manufactured wool products, and for other purposes;

S. 2627. An act to empower and authorize special agents and such other employees of the Division of Investigations, Department of the Interior, as are designated by the Secretary of the Interior for that purpose, to administer oaths in the performance of their official duties;

S. 3550. An act to make unlawful the transportation of convict-made goods in interstate commerce, and for other purposes;

S. 3619. An act relating to changes in the administration of the National Guard of the United States bearing on Federal recognition, pay, allotment of funds, drill, training, and so forth; and

S. 3636. An act to amend the National Defense Act, as amended, so as to provide for retirement of assistant chiefs of branches and of wing commanders of the Air Corps with the rank and pay of the highest grade held by such officers as assistant chiefs and wing commanders, and for other purposes.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 217. An act for the relief of Charles B. Payne;

S. 3489. An act authorizing and directing the Comptroller General of the United States to allow credit in the accounts of Lt. Col. Frank H. Lusse, formerly of the Kentucky National Guard;

S. 4208. An act establishing overtime rates for compensation for employees of the field services of the War Department and the field services of the Panama Canal, and for other purposes;

S. 4212. An act for the relief of certain Navajo Indians, and for other purposes;

S. 4249. An act for the relief of the widows of the late George A. Meffan and John Glenn; and

S. 4338. An act to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937, as amended.

The message also announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 3493. An act for the relief of Elliott L. Hovel; and

S. 4360. An act to confer jurisdiction upon the United States District Court for the Western District of Kentucky to hear, determine, and render judgment upon the claim of Theodore R. Troendle, sole stockholder of the Dawson Springs Construction Co.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4107) to transfer the jurisdiction of the Arlington Farm, Va., to the jurisdictions of the War Department and the Department of the Interior, and for other purposes.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 10495) to amend section 61 of the National Defense Act of June 3, 1916,